

## 'Sus' law is dead, judges confirm

Two judges held on appeal that a prosecution brought by the Metropolitan Police under the controversial, and now defunct, "sus" law was illegal. Their ruling confirms that the law is to be considered a dead letter. The relevant section of the Vagrancy Act, 1824, has been replaced by the Criminal Attempts Act. Page 2

## Armed men near Pope arrested

Police arrested an armed Nigerian trying to force his way into the Lagos stadium, shortly before the celebrated Mass, the Nigerian news agency reported. A group carrying a loaded pistol were arrested at Kaduna after the Pope's visit. Page 6

## Gas users face 23pc rise

Domestic gas bills are expected to rise by 23 per cent over the next year. They will go up by 12 per cent in April and a further 10 per cent in October. Industry's gas bills are also to rise sharply. Page 2

## WHAT THE PAPERS SAY

### Award for The Times

Granada Television's "What the Papers Say" panel has named the Editor of The Times as Editor of the Year. Mr Michael Foot, leader of the Opposition, and the Liberal leader, Mr David Steel, made the presentations of the awards. Page 2

### More readers

The circulation of The Times for July-December 1981 was 297,787, representing an increase of 6.71 per cent on the same period of 1980 (when it was 279,059). This is the highest percentage increase in its field.

### Penlee praise

Mrs Margaret Thatcher paid tribute to the "remarkable people" of the lifeboat organisation at a service in Truro Cathedral, to commemorate the deaths of the men lost in the Penlee lifeboat disaster. Page 3

### US-Israel rift

Mr Menachem Begin, the Israeli Prime Minister, appealed to President Reagan to scrap any planned sale of arms to Jordan. Page 6

### Namibian split

The multiracial Democratic Turnhalle Alliance in Namibia has been effectively destroyed as a serious political force with the resignation of Mr Peter Kalandula, the party president and leader of the influential Ovambo grouping. Page 6

### Muggings rise

An increase in muggings and robberies described as "massive" is worrying police officers. Rises have been reported in areas affected by riots last summer. Back page

### London derby

Tottenham Hotspur, the FA Cup holders, have been drawn away to Chelsea in the quarter-finals. West Bromwich Albion and Coventry City, the only other first division clubs left in the competition, meet each other. Page 17

## TROUBLED ALLIES

In the first of a series of four articles by former national leaders on the state of the alliance, Zbigniew Brzezinski, President Carter's national security adviser from 1976 to 1980, asks whether the relationship between Nato and the Warsaw Pact countries is still entirely valid. He argues that the question must be asked if we are to avoid a re-ignition of the Cold War. Page 10

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## Oil rig sinks in storm and 84 crew lost at sea

From Christopher Thomas, New York, Feb 15

All 84 men who abandoned a sinking oil rig in raging storms and 50ft high waves off the coast of Newfoundland, Canada, were feared dead tonight. The rig's three 42ft lifeboats were located by air rescue teams within a five-mile radius but there was no sign of life.

Aircraft reported seeing bodies in the water, but blizzard conditions prevented a count. One lifeboat was found capsized, the stern of another was low in the water and a third was apparently drifting without control. Three empty life rafts and debris were also seen.

Reports from St John's said the rig had sunk and that the site had been identified by helicopter through the rig's anchor buoys and wave-riding buoys.

The rig, Ocean Ranger, operated by Mobil Oil Canada Ltd, disappeared beneath the sea 160 miles off St John's on the island of Newfoundland. It was one of the world's largest semi-submersible platforms, 395ft by 262ft and self-propelled. All that remained tonight were anchor buoys and wave-riding buoys.

Rescue teams reported minimum visibility, heavy sleet and snow, winds of 70 mph and a 50ft swell. "It would be just about impossible to rescue anybody even if we found them," Mobil officials said. St John's rescue boats, however, managed to bring some bodies on board. A helicopter crewman said he managed to touch the life-jacket of one of the bodies in the water but was unable to lift him out because of heavy spray from the waves. The pilot of the first rescue helicopter to reach the area said the four or five bodies he saw were wearing survival suits and life jackets.

Mobil said the Ocean Ranger, which was launched in 1976, has been drilling off New-

foundland for about 14 years and in the present location since last November. Semi-submersible rigs, which float partly under water, are used to drill in water that is too deep for them to fasten legs to the ocean floor.

The severe winter storm hit the area late Sunday and strong winds continued on Monday. Two other rigs, the Sedco-706 and Zapata Upland, were drilling in the vicinity of the Ocean Ranger and held out against the storm, but men on the Ocean Ranger began taking to the lifeboats at 1.15 am local time after the rig listed to 15 degrees in 100 mph winds.

The Halifax rescue centre said the last rescue was about 3.10 am local time. It did not know how many men were in it. The supply rigs Seaforth Highlander and Neutor were at the scene and were searching for survivors. The rig was equipped with survival suits which would keep a man afloat for about an hour if the crew had time to put them on.

Forty-eight of the missing people are from Newfoundland and most of the rest are Americans. Mobil could not say tonight whether any Britons were aboard.

The fibreglass lifeboats, sausage shaped and completely enclosed, are normally capable of withstanding severe Atlantic storms. Each can take at least 50 people. But the sighting of one partially inflated and empty life raft tonight suggests that there was not time for everybody to get aboard. Mobil said that radio contact had been lost.

Two Sikorsky S-61 helicopters under contract to Mobil arrived at the scene at 4.30 am and returned after several hours after sighting bodies in the water. A Buffalo fixed wing aircraft was also at the site. Two 100-foot flat bottomed worker boats used to supply the rigs were asking 4 nautical miles away from the rig tonight. The two lifeboats, but storms prevented lifeboats being attached. "The last thing we want is to do something that might break up the boats," Mobil said. Two additional workerboats were tonight on their way.

Ocean Ranger was built by Mitsubishi Industries in Japan with capacity to drill to 7,600 metres. It got its stability from pumping sea water into ballast tanks and had no anchors or legs on the ocean floor.

Three climbers were swept to their deaths by avalanches on Ben Nevis yesterday. One of the dead was a woman. Five other climbers were injured. The dead are believed to be English holidaymakers.

The climbers were swept off the treacherous North-East face of Britain's highest mountain when a wall of snow broke away.

Police said the names of the victims would be released when the next of kin had been informed.

The first alarm came at 12.30 when two members of the Lochaber mountain rescue team were on their way to service an emergency radio call on Ben Nevis. Mr Andy Nicol, secretary of the team, said the first alert was of an avalanche in Castle Gully. The two members, who were policemen, took a stretcher and first aid equipment to the scene. A helicopter was called. Half an hour later they heard the second avalanche in Gardeylo Gully. Four rescuers were lowered by helicopter into the gully and found four climbers including the girl who was apparently dead.

They were airlifted to hospital as news came through that two people were missing in the Castle Gully avalanche. The bodies of two men were found shortly afterwards. They had fallen about 300 feet.

## How the SAS heroes dared to win

Bill Warburton



SAS men dropping from helicopters in a mock raid on the roof of Pinewood Studios' main building in Buckinghamshire yesterday. The building, restructured to look like the residence of the American Ambassador in Regent's Park, London, features in a new film, "Who Dares Wins", the regimental motto. The film was inspired by the Iranian Embassy siege and improves on some of the anti-terrorist tactics used.

## MEPs call for petrol free of lead in EEC

From George Clark, Strasbourg, Feb 15

In line with what Mrs Thatcher suggested in the House of Commons last week, Conservative MEPs at the European Parliament in Strasbourg today called for an EEC directive to ensure that all cars marketed in Community countries from January 1, 1985 will be manufactured to take lead-free petrol and be required to run on such petrol.

Mr Stanley Johnson, Conservative MEP for Wight and Hampshire East, who tabled a motion, said he had done so in collaboration with Mr Des Wilson, of the Campaign for Lead-free Air (Clear) and in the light of advice given to the Department of Health and Social Security by its chief medical officer concerning brain damage to children.

He recalled Mrs Thatcher's statement that if progress was to be made on reducing the lead content of petrol it would have to be in concert with Britain's European partners.

Under a directive of 1978, the maximum lead content of petrol is limited in all member states to 0.4 grammes per litre, though individual countries can require that it be as low as 0.15 grammes per litre (the British requirement).

Pointing out that the Japanese, Australians and Americans already have lead-free requirements, Mr Johnson said that British car-makers should be preparing for a change in the law, otherwise the Japanese might have almost a monopoly of sales of lead-free cars.

"There should be no difficulty in providing lead-free petrol at garages," he said. "Cars made and put on the market before the cut-off date of January 1, 1985, would continue to run on present grades."

Danger to foetus, page 3

## Dispute threatening 16,000 jobs says BR

By David Felton, Labour Reporter

Lord McCarthy's report on the rail dispute will be published this morning when footplate men stage their sixteenth one-day stoppage. New attempts will be made to bring British Rail and the unions together to find a solution to the dispute on the basis of the committee of inquiry's report.

Final touches were being made to the report yesterday as BR announced in a special crisis issue of its newspaper Railnews that 16,000 jobs were now at risk because of the strike. The threatened jobs are in addition to the 38,000 jobs at risk because of the 1981 and 1985.

It is understood that the union parties to the inquiry, British Rail, the National Union of Railwaymen and the Transport Salaried Staffs Association were given an outline of the report last night and will receive full copies early today.

General secretaries of the unions, along with senior BR officials, will go to the London office of the Advisory Conciliation and Arbitration Service to discuss the report.

A meeting of the BR board postponed from last Friday, is now held later today and will discuss its attitude to the inquiry report. It is widely thought that the committee will recommend that BR pays the 3 per cent increase it has been withholding from Aslef members but will also make recommendations designed to secure a swift agreement on flexible rostering for footplate staff.

However Mr Ray Buckton, Aslef general secretary again made it clear yesterday that his executive would not accept an inquiry report which placed conditions on the payment of the 3 per cent.

Mr Buckton, along with Mr Sidney Weighell and Mr Tom Jenkins, general secretaries of the NUR and TSSA respectively, met Mr Joseph Cornley, president of the National Union of Mineworkers to discuss miners' support for the train drivers.

Mr Weighell had warned the miners to avoid taking any action which would worsen the dispute and the union leaders agreed that any problems involving blacking of extra coal deliveries by road, when there were train strikes, should be resolved locally.

Referring to the claimed jobs loss Mr Buckton said the full responsibility for it happening had to be laid fairly and squarely on the shoulders of the British Railways Board.

With no new orders, and a further deterioration in the company's finances, the prospect of redundancies in the yard represents a serious dilemma for Mr James Prior, Secretary of State for Northern Ireland.

Mr Prior is due this week to announce his decision on whether to provide more aid to the ailing De Lorean car company in west Belfast.

The redundancies threat at Harlands prompted the Rev Ian Paisley, leader of the Democratic Unionists to announce that he and his colleague, Mr Peter Robinson MP for Belfast, East, would ask Mr Patrick Jenkin, Secretary of State for Industry, to direct a £25m bulk carrier order for the British Steel Corporation to the Belfast yard.

Up to a thousand jobs at Harland & Wolff, the Belfast shipbuilding and engineering group, could be axed within the next few weeks.

The company, Northern Ireland's largest single employer, which has received £137m in government aid over the past few years, is desperately short of new orders to maintain employment, especially for steel workers.

All four ships on its present order book—two liquefied petroleum gas carriers for charter by Shell, and two tankers for British Petroleum—are due for delivery by the middle of next year.

The warning that lack of orders could lead to redundancies among the company's 7,000 workers was sounded by Dr Vivian Wadsworth, the chairman, last December.

## 14-year low for factory output

By David Blake, Economic Editor

Manufacturing output fell to its lowest for over 14 years in December, according to official figures published yesterday. The 2.3 per cent drop came after a 1.9 per cent fall in November and dealt a blow to Government hopes that the economy is recovering from the recession.

Total industrial production also went down by 1.1 per cent in December, in spite of a sharp boost in energy production because of the cold weather.

Bad weather is to blame for at least part of the December downturn. Many factories had to shut down or cut their production because workers and components could not get through the snow.

But even without the impact of the weather, which is likely to have an equal effect on January figures, industrial production showed some signs of faltering.

The signs of weakening output came at the worst moment for Sir Geoffrey Howe, Chancellor of the Exchequer, who had been hoping to encourage industrial recovery without big tax concessions in his next Budget.

But the figures are unlikely to deflect him from his view that the worst of the recession is over and that industrial output will recover gently throughout 1982.

The Treasury had expected that the growth in production seen in the autumn of 1981 would falter around the turn of the year. Much of the boost to demand seen in the late summer and early autumn came from a near end to the rundown of stocks.

Companies which had lived throughout the recession by using up the stocks which they had built up earlier started relying on production once again.

During the rest of this year the Government hopes that some recovery in industrial investment and increased exports will provide extra demand.

But this takes time to make itself felt and companies may have become impatient around Christmas by signs that the consumers, who had been spending right through the worst months of the recession, were starting to cut back.

Figures for December alone are distorted by the weather, but estimates for the last three months of the year show the varying pattern of industrial development between different sectors.

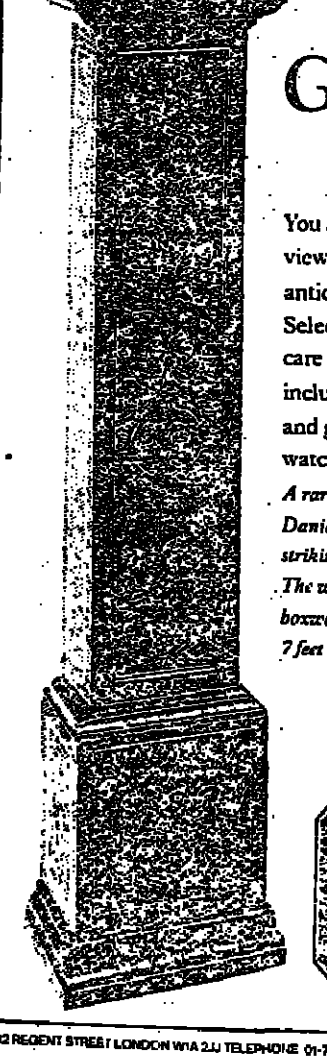
## Leyland strike talks fail

Management-union talks aimed at ending the strike by 12,000 Leyland workers in Lancashire broke down in London last night. BL has given a warning that it will end truck and bus manufacturing permanently at Leyland, Lancashire, and Bathgate, near Edinburgh, unless the strike ends soon.

This man has the breezy resourcefulness of an army quartermaster. "Yes," he says, with one of those physically objective glances that distinguish tailors, surgeons and undertakers, "Tweed jackets, are no problem."

He brings out two rolls of cloth, not really tweed but something similar, one an odd splintered orange shade, the other an exaggerated green.

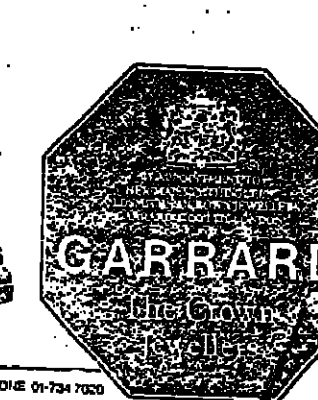
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## Garrard antiques

You are always welcome to view the notable collection of antiques at Garrard. Selected with knowledgeable care by Garrard experts, it includes fine pieces in silver and gold, as well as clocks, watches and jewellery.

A rare small veneered clock by Daniel Quare, with 8-day striking movement. Date circa 1685. The walnut case, inlaid with boxwood and ebony, measures 7 feet in height.





# Judges' ruling spells end to 'sus' law charges

By Frances Gibb

A prosecution brought by the Metropolitan Police under the controversial and now defunct "sus" law, or section 4 of the Vagrancy Act, 1824, was held to be illegal by two High Court judges yesterday.

In a test ruling which will affect more than a hundred potential prosecutions throughout London, Lord Justice Ackner and Mr Justice Woolf allowed an appeal by a student, aged 19, against a decision by Mr Eric Crowther, stipendiary magistrate at West London.

They held the magistrate was wrong in law to reject a submission on November 10 last year that he had no jurisdiction to try the defendant on a "sus" charge brought before the Act was abolished last year, but not heard until afterwards, and ordered the charge to be dropped.

The ruling means that the highly unpopular "sus" law, which was repealed when the Criminal Attempts Act came into force on August 27, 1981, after considerable public concern over its use, is well and truly a dead letter.

Giving judgment for both judges, Mr Justice Woolf said that whenever there is a repeal of a criminal offence, there would be anomalies. On any interpretation of the Criminal Attempts Act, a person who committed an offence just before that Act came into force, which would have been capable of prosecution under section 4 of the Vagrancy Act,

would no longer be capable of being prosecuted after the Act was implemented.

"The Act has to apply the ruling at a fixed point and that fixed point must be in certain circumstances as arbitrary," Mr Justice Woolf said.

He added that it had to be remembered that the High Court was concerned with whether a member of the public should be subject to penal consequences under a statutory provision.

"It is a situation, if there is doubt in the subject not being under liability for criminal prosecution."

After the two hours and a half hearing, Mr Justice Woolf said that the uncertainty created by the repeal of the Act, which some 125 cases are no longer capable of being prosecuted and charges must be dropped.

Mr Vivian Robinson, counsel for the Commissioner for the Metropolitan Police, said that considerable anomalies and injustices would result if the appeal was upheld.

If two people were arrested on "sus" charges at the same time, but for some reason the trial of one was held up until after August 27 when "sus" was repealed, one defendant

could be found guilty and the other get off because no prosecution could be brought.

There were 35 such cases fixed for hearing in London, he said, and 95 unexecuted warrants arising from the failure of defendants to appear at court when bailed to answer "sus" charges, 74 of which were issued prior to August 27.

Of those, 13 involved cases where one defendant had appeared in court but the co-defendant, whose trial had been held up, did not. "So 13 people will be able to say: My co-defendant was convicted and had a sentence imposed, but I escaped any conviction," Mr Robinson argued.

If Parliament had intended so wide an anomaly it would have said so in the clearest terms.

He added that in repealing the Vagrancy Act, Parliament had, in section 9 of the Criminal Attempts Act, preserved the spirit of the Vagrancy Act. That section included the fence of interfering with vehicles "which was one of the most prevalent areas to which section 4 used to apply."

"Parliament there quite obviously intended in that Act to preserve a part of the Vagrancy Act provisions," he said. Of the 35 cases fixed for a hearing, 14 were of this kind. If the appeal was upheld, the defendant could escape the consequences of an activity which Parliament still considers to be objectionable.

Law report, page 8

## Tebbit not to seek abolition of union levy

By Paul Routledge  
Labour Editor

The Government has decided that it will not act to curtail the special relationship between trade unions and the Labour Party by changing the rules on the unions' political levy.

Mr Norman Tebbit, Secretary of State for Employment, is understood to have set his face against any alteration of the present arrangements under which workers, if their union is affiliated to the Labour Party, have to "contract out" if they want to stop paying the levy.

Some Tory backbenchers have argued that the rules should be altered so that employees would have to "contract in" to pay the levy. They have recently been joined by senior Social Democrat politicians who are anxious to snap the financial umbilical cord between the unions and the Labour Party.

Mr Tebbit believes that the financing of political parties is a complex issue that has to be dealt with in the round, rather than by a legislative assault on the funding of one party.

He is also unlikely to go further than his new Employment Bill, which provides for damages of up to £250,000 for unlawful conduct in defiance of new regulations governing industrial action.

Mr Tebbit prides himself on not having had to gutturalise a word during his parliamentary progress, but it seems certain that he is ready to curtail debate by MPs of his controversial measures if they run into a Labour filibuster.

This stage of serious challenges are expected to the proposed legislation during its passage through a Commons committee, but if there are delays that threaten to prevent the second stage of the bill, the Government is bound to invoke a parliamentary timetable.

The Secretary of State is also examining the operation of the law relating to industrial action, which has been giving wages to the lower-paid substantial higher than the norm for settlements desired by the Government.

His department is also reviewing the results of arbitration awards, particularly in public service and nationalised industries. It may also produce measures to lessen the number of circumstances in which workers can dispute over pay, conditions, and so on.

Mr Tebbit accepts the line laid down by Mr James Prior, his predecessor, that "arbitration should be a last resort" where they concern government employees, only if both sides agree to that course of action.

## Foot sets test for Trotskyists

By Anthony Bervin  
Political Correspondent

Mr Michael Foot said last night that he was not prepared to tolerate anti-democratic views in the Labour Party.

The Leader of the Opposition said in an interview on BBC's *Panorama* programme that the creation of a Labour Party in the country and the Commons was the main item in the party constitution.

"Those of us who insist, as I do, as Denis Healey insists, as Tony Benn insists, I believe, as most people in the party believe, that it must be a permanent democracy: those of us who do that are in full accord with the party constitution," he said.

Mr Foot said that some people were "anti-parliamentary activity" to "complete the work of Parliament itself. That was acceptable."

But he then added: "If some people come along and say 'We don't need Parliament at all, we can do the work of Parliament ourselves', that means setting aside our own democratic methods in Britain."

He went on: "We in the Labour Party are not prepared to have that, because we believe the attempt to establish things by undemocratic means results in something quite different."

Mr Foot refused to make direct comment on the Militant Tendency's future inside the Labour Party, saying that he could make no pronouncements while the party inquiry was being carried out, but he made remarks on parliamentary democracy could be taken as an indication of his test for the party's Trotskyists once the Militant report has been completed.

He also said that the long-standing divisions of the party were nowadays marked by a new intolerance, to which he was absolutely opposed.

The party's constitution, which examined the state of the party, included remarks by party members that the next election was not a matter of supreme importance, a view held by some people on the left.

Mr Foot said that such views horrified him. "I believe that that is a wrong perspective from any point of view of the Labour Party."

The spirit of Bishop's Stortford, he added, was that the left, the centre and the right should combine to win the next election.

Turning to the social democrats, which has helped to concentrate Labour's mind on unity, he said that they had no political principle.

## Benn backs youth trainees' strike

By Philip Webster, Political Reporter

Young people on the Government's Youth Opportunities Programme in Merseyside are to stage a one-day strike on February 25 as part of a campaign, backed by the student Party, to win union rights and rates of pay for the trainees on the programme.

Mr Andy Bevan, the party's national youth officer, said yesterday that other trainees who feel they have sufficient union strength were being urged to take similar action on that day, when 3,000 young people are expected to take part in a lobby of Parliament.

He was speaking at a Westminster press conference under the chairmanship of Mr Wedgwood Benn, about the lobby, which is to be organized jointly by the Labour Party Youth Society and the trainees' union rights campaign.

The campaign is also demanding a guaranteed job for trainees at the end of their scheme, free travel to work for the trainees, and five weeks' paid holiday a year.

The encouragement to the trainees, who receive a £25 a week allowance, to take strike action is bound to cause alarm among those Labour MPs worried by the party's association with the campaign.

When the national executive debated giving trainees union rights last year, Mr John Grieve, a prominent right-winger, described the proposal, moved by Mr Benn, as crackers.

Mr Benn was asked yesterday whether the executive support for the campaign also meant backing the strike call. He said: "The Labour Party does not call for strike action. Strike action is taken by bodies of workers with the support of their trade unions."

"We are giving support to the young people trying to get into unions and the unions where they try to defend their rights."

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Mr Harold Evans, with Mr Michael Foot at the award ceremony yesterday.

## 'Times' won award, editor says

By David Hewson

Mr Harold Evans, editor of *The Times*, was named Editor of the Year by Granada Television's *What The Papers Say* programme yesterday.

Mr Brian Inglis, who has worked with the programme since it began in 1956, said when announcing the award: "In the year he (Mr Evans) has been editor he has changed it almost out of all recognition."

"All of us (in the panel of judges) had some brickbats as well as some bouquets to deliver but we agreed that to have carried through such a formidable revolution without sending *Times* readers screaming to the *Telegraph* or *Guardian* was a remarkable achievement."

Both Mr Michael Foot, Leader of the Opposition, and Mr David Steel, the Liberal leader, who jointly made the award presentation, wished the newspaper well during the next few crucial days, although in the case of Mr Foot, not without a few jocular asides.

Mr Evans told the awards ceremony that the credit was to *The Times* and not himself. "We have five days in which to save *The Times*" and "The journalists there are dedicated to the management in this attempt to make it viable."

"I want to thank you for your interest and support because without the attention of the rest of the press, which has been first class, we wouldn't have brought this on to the agenda of the nation."

"I am dedicated to the quality of *The Times* and, in view of recent controversy, to its independence, but I recognize that that requires viability."

Other awards were: Newspaper of the year, the *Daily Mirror*; Reporter of the year, Neal Ascherson, of *The Observer*, for his reports from Poland; Columnist of the year, Roy Hattersley, the Labour politician, for his column in the *Listener*.

Cartoonist of the year, Michael Heath, for his work in, among other publications, *The Sunday Times*, *Private Eye*, *Punch* and the *Spectator*.

Four awards were made to mark the programme's silver jubilee, to people who have been chosen as being worthy to represent the era which has just passed. They were to the *Daily Express* cartoonist Giles, the *Observer* columnist Katherine Whitehorn, the *Daily Mirror* columnist Keith Waterhouse, and the satirical magazine *Private Eye*.

The television programme of the proceedings will be transmitted on Thursday evening on independent television.

## Laker talks go on move made over licence

By a Staff Reporter

Sir Freddie Laker resumed talks in London yesterday with Mr Roland (Tiny) Rowland amid growing doubts about his ability to get a Lombar-financed "People's Airline" into the air.

After flying back with Mr Robert Dutton, a Lombar director, from Dublin, where he spoke to the Eximbank syndicate, Sir Freddie was said to be in fine form. However, the Civil Aviation Authority, which has given a warning that Laker's Skytrain licences may be suspended from tomorrow, said last night it had received no application from Sir Freddie to extend or transfer the permits.

Laker Airways said: "Every thing has to be water-tight before we make an approach to the CAA. Sir Freddie is continuing his talks in the City." The discussions with Eximbank, which lent the collapsed airline £12m in 1980, were said to have progressed well.

The Authority said: "We are waiting for Sir Freddie to put his proposals to us. We do not know precisely what the licensing and other legal requirements will be until he makes some formal proposals. It would be a lengthy process before licences were granted."

Meanwhile Lloyds of London said Sir Freddie would have to put out of action when an aqueduct was brought down across the track, and on Sunday army experts defused a 10lb bomb at Newtownabbey near Belfast.

A case against the Government of the Irish Republic has been lodged with the European Commission of Human Rights on behalf of more than 200 people in Northern Ireland whose relatives have been murdered by terrorists.

The Official Unionist Party, which has drawn up the 74-page document, alleges that the constitution of the Irish Republic, which claims jurisdiction over Northern Ireland, is an incitement to terrorism.

It seeks to test the admissibility of the claim with the commission in the hope that, if it is successful, the European Court will bring pressure on Dublin to make changes.

Mr Harold McCuikie, MP for Armagh, and director of the campaign, said yesterday that one of the grounds for the case was that statements made by politicians in the republic over the years had encouraged terrorism.

Science report

## Pacific birth of tidal waves

By the Staff of "Nature"

A tidal wave half an inch high has been detected off the Pacific coast of America, the first such wave to be detected in the open ocean. Not the kind of thing to destroy homes and factories on the coast, you may think. But the giant tidal waves of the Pacific are in fact only a little higher, a few inches perhaps.

The trouble comes when these rare waves, which are very long and extremely fast, moving a few hundred miles an hour (typical), pile up on the coast. There, on the shelving sea-floor, they build up into giants higher than houses and cause swift currents that can drain and refill harbours, doing immense damage. So some means of detecting them in the open ocean could be useful.

The half-inch wave was observed by a French oceanographer, Dr Jean-Filloux, at his present working at the Scripps Institution of Oceanography at La Jolla, California. Dr Filloux and his group have set up pressure detectors at different places on the bed of the northeast Pacific. Twice a minute the detectors take recordings of the weight of water above them; and they are sensitive enough to measure minute changes in the water height.

Every now and then, Dr Filloux collects some of the recordings to analyze back in California, and in one he has now found a clear record of the passage of a series of tidal waves (of the kind called "tsunami" in Japanese) from the world's harbour-wave in the Pacific.

Tsunami are caused not by tides, but by undersea earthquakes which suddenly change the ocean level. In the first part of Dr Filloux's record, there is a fluctuation which can be traced back to an earthquake off the Mexican coast. This shiver in the record comes not from a change in water level. Dr Filloux believes, but from the arrival of the wave's seismic waves from the earthquake through the rock of the ocean floor.

What follows about ninety minutes later is a slow, regular oscillation of pressure which cannot be correlated with rock movements but must come from a motion of the sea surface. Over about one hour, the sea appears to have risen and fallen about four times by about half an inch. The time of arrival of the wave, were just what would be expected of a tsunami generated by the Mexico earthquake, whose epicentre was known well by seismic observations at land-based stations.

Thus it seems clear that Dr Filloux has detected a travelling tsunami, and that he should be able to do the same again with his other detectors. The wave could be used to give warnings, if only the pressure wave signals could be transmitted automatically to land, perhaps by surface buoy and satellite, in time for the warning to be useful.

At present the only warning is the detection of earthquakes in regions known to generate tsunamis, but since such earthquakes only create the devastating waves roughly once in five years, there is sometimes a reluctance to take the warnings seriously.

Pressure wave detection, in conjunction with seismic observations, could give a more certain warning of an oncoming tsunami, as well as an indication of its size. Unfortunately, the satellite recording system may prove to be prohibitively expensive. Source: *Geophysical Research Letters* (Vol. 9, p. 25, 1982). (© Nature-Times News Service, 1982.)

## PRIVATE BUS FIRM CLOSES

The first private bus company to break a council monopoly yesterday ceased operations and laid off all 31 staff.

CK Coaches of Cardiff took advantage of the Transport Act in April last year but, because of financial difficulties, was forced to close.

During its operation CK was involved in a battle with the city council, services with drivers exchanging insults in the race to pick up passengers.

Lord Carrington III, Lord Carrington, aged 62, the Foreign Secretary yesterday cancelled his official engagements because of illness. The Foreign Office would not comment on reports that he suffered poisoning after visiting South-East Asia and Spain last week.

Overseas selling prices: Belgium 12.25, Denmark 10.00, France 10.00, Germany 10.00, Italy 10.00, Japan 10.00, Netherlands 10.00, Portugal 10.00, Spain 10.00, Sweden 10.00, Switzerland 10.00, UK 10.00, USA 10.00.

## Footballer fined £200 for assault

Remi Moses, aged 21, the Manchester United footballer, was fined £200 at Manchester Crown Court yesterday for assaulting Mr Richard Denny in a dispute over a driving licence 13 months ago when he was a West Bromwich Albion player. Charles Saunders, aged 20, a trainee tiler, of Ancoats, Manchester, who also admitted the assault, was fined £35.

## Seven injured in manhole blasts

Two explosions in manholes, believed to have been caused by electrical faults, injured seven people near New Scotland Yard, London, last night. The injured, including two firemen, were treated at Westminster Hospital. One was transferred to a burns unit at Queen Mary's Hospital, Roehampton.

## Deer hunt protest

Villagers at Kille, West Somerset, complained yesterday that deer hunters killed a hind after it had collapsed exhausted in a stream. Mr Thomas Vincent, aged 68, said that the deer was chased into the grounds of his Little Orchard Tea Rooms.

## BL teaches robots new tricks

Adhesives are playing an ever-increasing role in car production. As new non-ferrous materials are developed adhesives will become more important than ever.

The method of application and accuracy are both highly critical to a good bond and until now this has had to be done manually.

This is time consuming and is a thankless, tiring task for the operator. Now BL Technology have taught one of their fully successful welding

robots to apply adhesive to the Acclaim bootlid.

63 different spots of adhesive are applied to the inside of the lid in well under a minute.

This new system has been in continuous use since the October launch of the Acclaim and helps to keep BL in the forefront of the industry and the use of robotics.

It also puts BL in an ideal position to make fullest use of new materials as they are developed.

Now BL Technology have taught one of their fully successful welding

robots to apply adhesive to the Acclaim bootlid.

## NEWSPAPER AND 200 JOBS LOST

More than 200 jobs will be lost with the closure on May 17 of the *Evening Mail*, which covers the Slough and Hounslow areas west of London.

Mr Gerry Hughes, managing director of the newspaper, which is owned by a subsidiary of the Westminster Press group, said yesterday that it had suffered severe losses.

The 110 employees, all journalists and clerical staff, have been given 90 days' notice of dismissal.

Leaders of 120,000 printing workers yesterday lodged pay claims with the British Printing Industries Federation. The biggest union, the National Graphical Association, sought a 12 per cent rise in basic rates, taking minimum earnings up to £38.

Two other unions, the Society of Graphical and Allied Trades and the National Society of Operative Printers and Media Personnel, asked jointly for substantial pay increases, a fifth week's holiday and a 35-hour week.

BL Fighting back



# Anomaly denies council tenants chance to buy

By David Nicholson-Lord

The Government is being asked to examine an anomaly on its new housing legislation which effectively denies up to 50,000 council tenants the right to buy their houses.

The anomaly has been highlighted by the case of Mr and Mrs David Berry, of Carford, south London, who have had an application to buy rejected by Lewisham Council. Mrs Berry has gone so far as to buy the freehold of her council house for £740, from a property company but the council, which has 50 years of its 99-year lease to run, still refuses to sell the house.

Mrs Berry has described the exclusions as a "very serious loophole" in the Housing Act and is seeking to promote private act of Parliament to enable her to buy.

The Department estimated that up to 50,000 tenants of a total of six million, were affected and said the exclusions resulted from the pressure of Parliamentary business. The Association of Metropolitan Authorities, controlled by Conservative councils when the Housing Act was passed, said: "At the time we did not feel it was a sufficiently widespread problem and we did not press to have the legislation extended to these tenants."

Mr Taylor suggested that tenants allocated leasehold houses should pay less rent and added: "It undoubtedly creates a feeling of injustice. We are offering council tenants a bargain, but in a minority of cases people are being denied the rights of other tenants."

Mr Taylor has tabled questions to Mr Michael Heseltine, Secretary of State for the Environment, asking

# NHS losing millions by abuse, union says

By Annabel Ferriman

Correspondent

Millions of pounds are being lost to the National Health Service by consultants using diagnostic and treatment services for private patients without paying for them, a union alleged yesterday.

Blood tests, X-rays, physiotherapy and drugs are often provided for private patients without the doctor declaring his patient's status, the Association of Scientific, Technical and Managerial Staffs said.

Mr Reginald Bird, national officer of the association, said in London, that many of its 25,000 health service members had complained about alleged misuse of resources.

The association is urging health authorities to tighten accounting procedures to prevent what it sees as growing abuse.

It says that the status of the patient should be indicated on all requests for laboratory, radiology and other tests and treatment, and a charge made.

The association says the Liverpool Area Health Authority was so worried about the money it could be losing that it carried out an audit last autumn, the results of which have not yet been published.

Mr Bird also said that some consultants admit their private patients to health service beds and continue to charge consulting fees.

"It is unfair that consultants, who can earn as much as £40,000 a year from the health service and another 10 per cent from private patients, are lax about declaring their use of facilities."

It means that the taxpayer is subsidising private patients, he said. Doctors were among those who told him about the abuses.

The association is also fighting to reduce the hours worked by junior hospital doctors, a quarter of whom work more than 104 hours a week.

A private member's bill, introduced by Lord Wells-Pestell of Combs and backed by the association, which aims to reduce doctors' working hours over eight years to 35 hours a week, is to have its second reading in the Lords today. The Government intends to oppose it.

Mr Bird said doctors could not be expected to continue to work their present "killing hours" which were harmful to patients and themselves.

The way forward was through legislation.

The British Medical Association, which negotiates for all hospital doctors, said yesterday: "Allegations have been made of corruption by NHS doctors."

"No firm evidence to support these statements has so far been forthcoming but if it can be provided they should be firmly dealt with."



Mrs Thatcher with the Bishop of Truro and some of the new Penlee lifeboatmen yesterday.

# Mrs Thatcher joins Penlee mourners

From Craig Seton, Truro

An emotional tribute to the "remarkable people" of the lifeboat service and their families was paid yesterday by Mrs Margaret Thatcher, the Prime Minister, at a service in Truro Cathedral to commemorate the deaths of the eight men of the Penlee Lifeboat and the eight people they tried to rescue off the Cornish coast two months ago.

The five widows and 12 children left fatherless when the lifeboat Solomon Browne went down on December 19 were joined by other relatives of the eight dead men and more than 1,400 other mourners at the memorial service. They included several hundred from the Cornish fishing village of Mousehole which provided the crew for the Penlee boat, wrecked going to the aid of the coaster, Union Star, whose eight crew and passengers also died. Many were in tears during the 50min service.

Mrs Thatcher and her husband, Denis, flew to the service after receiving a letter asking her to attend from the mother of Mr Kevin Smith, aged 23, a merchant seaman from Mousehole who

joined the Solomon Browne's ill-fated rescue attempt in mountainous seas while he was on leave.

Mrs Thatcher met the families of the dead lifeboatmen after the service and then told reporters that although she had "feared to intrude" she was glad to have attended.

She said: "The families have gathered great strength from the community and one another, and from the bravery and courage which is part of their life as part of the lifeboat service. They are absolutely remarkable people, all of them."

Mrs Thatcher, dressed in black, said: "There is not a lot you can do to comfort people in this terrible sorrow except do practical things to help and just be there."

The Prime Minister said the families would remember the service for the rest of their lives. Everyone, she said, had had tears in their eyes when the Royal Marines had played the Sunset hymn and Last Post bugle call at the end of the service.

Packed into the cathedral were hundreds of members of the RNLI,

including the new crew of the replacement Penlee Lifeboat, the Guy and Clare Hunter, the crews of other lifeboats, members of the coastguard service who took part in the rescue attempt, the Services and many civic dignitaries.

The crew of the new Penlee Lifeboat formed a guard of honour outside the cathedral before the service as 500 people watched outside.

The Bishop of Truro, the Rt Rev Peter Mumford, in his sermon said: "The eight men of whom we think today failed in the particular mission on which they were engaged. They went to rescue fellow human beings from destruction and death. They did not succeed in that, to the point that they lost their own lives in the process. But that failure was also an achievement — every bit as valuable as what they sought to do. It is only for us who remain to make it a success."

The Penlee Lifeboat Disaster Fund, which was established in the aftermath of the disaster, officially closed to public donations on Sunday with £2.7m in its coffers.

# Strike halts turkey processors

By John Young

Some 1,200 employees of Britain's largest turkey processing firm, Bernard Matthews Ltd, went on strike yesterday in support of a pay claim.

Officials of the National Union of Agricultural and Allied Workers claimed that about only 30 people had reported for work at the two plants in Great Wingham, Norfolk, and Holton, Suffolk.

The claim is for 25 per cent on a basic wage of £57.71 for an adult worker, a reduction in the working week from 40 to 38 hours, and an extra week's holiday, the company has offered £5.65 across the board which, the union says, would amount to between 5 per cent and 8 per cent on average earnings.

Mr Jack Boddy, the union's general secretary, said that at a meeting last Friday Mr Bernard Matthews, the firm's chairman, had refused to negotiate or to refer the dispute to the Advisory, Conciliation and Arbitration Service (Acas).

"The firm is refusing even to discuss our demands," he said. "We had no option but to call a strike."

Mr Boddy claimed that the firm paid on average about £3 less than comparable businesses in the area and that, since it was doing very well commercially, it could well afford to meet the union's demands.

Both claims were rejected yesterday by Mr David Joll, the processing director, who said they would add £2m to the wages bill. The firm paid the highest wages in the turkey industry and, during many hours of negotiation, had showed union negotiators the accounts for the past five years.

Mr Boddy had been invited to inspect the figures, but had declined.

The Matthews turkey farms, and its breeding and hatching divisions, were not affected by the dispute, Mr Joll added.

# Lead threat to foetus revealed

By our Medical Correspondent

Research by Dr Frazier Alexander, consultant paediatrician at Newcastle general hospital, has shown a statistical relationship between levels of lead in the foetal placenta and the incidence of stillbirth and foetal abnormalities.

His cases demonstrate that not only is the placenta not a filter, but it appears to have a storage capability which varies from baby to baby; hence lead levels are higher in the foetal placenta than in the maternal, although foetal blood levels are lower than those in the mother.

The foetal abnormalities he found cover the entire range encountered in paediatric practice, but the greatest increase seems to involve the central nervous system, causing such conditions as hydrocephalus and spina bifida.

His findings will cause some alarm, for they suggest that induced lead damage in the embryo of laboratory animals with comparatively low blood lead levels might be occurring spontaneously in human embryos.

Cases being investigated by Dr Alexander will be followed up carefully, and those known to have had high placental lead levels will be monitored for changes later in childhood. "This has been an important study, and certainly do not intend to let it rest," Dr Alexander said.

He hopes to present a paper to the British Paediatric Association later this year.

# LABOUR CHOICE

Mr James Orpe, aged 30, a student at Essex University, has been adopted as prospective Labour parliamentary candidate for Brentwood and Ongar. The seat was held for the Conservatives at the last election by Mr Robert McCrindle with a majority of 16,931.

# ITN rejects BBC claim over tanker film

By Kenneth Gosling

Independent Television News yesterday rejected a BBC claim that news film taken of a tanker disaster in the Atlantic was pooled through legislation available to both organizations.

In response to a BBC statement calling for joint talks to resolve any similar disputes in the future, ITN said it was conscious of its position with regard to this matter and other similar recent occurrences.

In effect, ITN is accusing the BBC of "lifting" its material. It says that it has happened twice before: on the occasion of President Sadat's assassination and when it interviewed Gerard Tuite, the wanted IRA man.

ITN's annoyance over Saturday's incident, which concerned film of Victory, the wrecked Greek tanker, took them as far as an emergency hearing in a judge's chambers that evening; but that did not succeed because it was said to be too late.

ITN is now deciding its future course of action. The BBC said the RAF's St Mawgan, Cornwall, had arranged a facility the previous day — "and gave us to understand that Saturday's coverage was also pooled."

"BBC television news recognizes that recent technological developments are making the use of shared facilities an area of growing contention."

ITN, however, took a cool view of this statement; it doubts that there has been such a change and claims that, having spent much money and acquired a good deal of knowledge in recent years, it makes a mockery of competition if people simply "lift" its material.

# Rantzen need not testify in 'That's Life' case

From Arthur Osman, Dudley

A doctor failed yesterday in an attempt to get Esther Rantzen, the television personality, to give evidence on his behalf in an action following a feature she wrote and produced for the BBC programme 'That's Life'.

Dr Sachindra Prasad, of Wolverhampton, is being sued at Wolverhampton County Court today by Ensign Home Improvements, a local firm, for alleged nonpayment of a bill for surgery. The doctor alleges in a counter claim that the work was unsatisfactory.

Dr Prasad had issued a witness summons against Miss Rantzen seeking her aid as an expert witness, and Judge Malcolm heard the application in chambers at Dudley, West Midlands, yesterday. BBC lawyers suggested the evidence she could give would be inadmissible. She had said that although

she wrote the script she did not do all the research.

Mr Rohy Robertson, a BBC solicitor, said after the hearing that Dr Prasad wanted her to give names and addresses of complainants against a company which had been featured in the television programme, the nature of the complaints, the names of experts consulted for the programme, and to say whether complaint had been made to the Advertising Standards Authority.

He said: "The judge realized that in every case the evidence she would give would be inadmissible, and judged as inadmissible by the trial judge. Our position is that Esther Rantzen is sympathetic to the doctor's predicament but is quite unable to assist him." A libel action had been started by the company named in the programme, the writ having been served last summer.

# NEWS IN SUMMARY

# The beast's owner told to pay up

Mr John Dodd, a motor enthusiast who built his own 250mph supercar known as The Beast, has been ordered to pay a £5,000 fine for contempt of court, the Court of Appeal ruled yesterday. The court dismissed Mr Dodd's appeal against the fine and an order that he should also pay a costs bill estimated at a further £5,000.

Last June, Mr Dodd, of Links Road, Epsom, Surrey, was ruled to be in contempt of an earlier court order banning him from exhibiting The Beast as a Rolls-Royce.

The Beast, powered by a Second World War Rolls-Royce Merlin aero engine, cost Mr Dodd £25,000 to build. Rolls-Royce sued him for allegedly infringing its trade marks and "passing off" the car as a Rolls because it sported RR badges, radiator grill and spirit of Ecstasy mascot. Mr Dodd was not present or represented in the court yesterday when Rolls-Royce successfully applied for an order dismissing his appeal.

Mr George Hamer, for Rolls-Royce, said Mr Dodd had not complied with terms imposed on him for setting down his appeal.

# Accused 'tried to murder 10'

Brian Murphy, aged 27, unemployed, of Naville Park, Ballynary, Fife, was charged at Dunfermline Sheriff Court yesterday with attempting to murder 10 people, including children, in a house in Castle Avenue, Crosshill, on February 14.

Murphy, who appeared in private before Sheriff Stuart Forbes, is alleged to have wilfully set fire to the house and attempted to murder the occupants. Mr Owen Coll, a miner, Mrs Mary Coll and eight others. He was remanded in custody for further inquiries.

# Casino winner robbed

Mr Aziz Tavangar, who travelled to London on Saturday to claim the £35,000 prize in the Daily Mail Casino competition to discover that hundreds of others had done likewise, returned home on Sunday to find his house ransacked and jewelry valued at more than £12,000 and two cameras stolen.

Mr Tavangar and his family live in Fenton Road, Bournemouth, Dorset. They recently arrived in Britain from Iran.

# Playboy decision

The Playboy Club of Mayfair London, and the Clermont Club yesterday abandoned their appeals against loss of licences. Mr Richard Beckett, for the clubs told the Knightsbridge Crown Court that new licences would be sought.

# £25,000 Co-op haul

Two bogus security guards collected £25,000 from staff at a Co-operative store in New Road, Gravesend, Kent, yesterday, minutes before the genuine guards arrived. The thieves escaped.

# EX-PATIENT WINS RIGHT TO ACTION

By Lucy Hodges

A former patient at Broadmoor hospital for mentally abnormal offenders has won the first round of his judicial battle in Strasbourg over the law which bars mental patients from suing doctors and nurses.

The European Commission of Human Rights has ruled the case admissible and will now try to reach a friendly settlement between the two parties: Mr John Ashingdane, who is represented by MIND, the mental health charity, and the British Government.

Mr Ashingdane complained that he had been prevented for two years from transferring from Broadmoor to a psychiatric hospital in Kent by the Confederation of Health Service Employees. His lawyer, the Department of Health and Social Security and the Kent area health authority but they were stopped by the Mental Health Act of 1959.

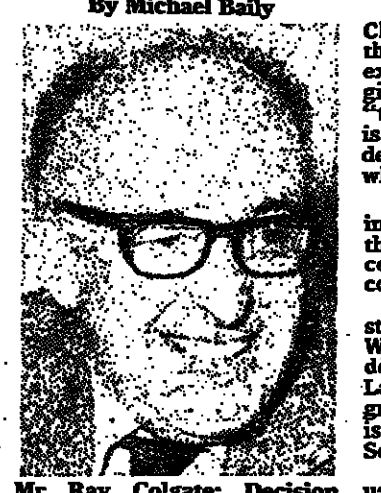
Section 141 of the Act says that the patient cannot sue the doctors or nurses unless it can be shown that they acted in bad faith or without reasonable care.

MIND argued at the commission hearing 10 days ago that the Act breaches the European Convention on Human Rights because it denies judicial review of detention and bars most patients from suing.

The Government maintains that Mr Ashingdane's detention was legal.

# Laker's licence move

# The man who could help Sir Freddie fly



By Michael Bailly

Mr Ray Colgate, the Civil Aviation Authority's man in charge of licensing, will be able to assess the Laker case in the weeks ahead free from political pressure, thanks largely to Sir Freddie.

The authority was a Laker supporter in the early 1970s and granted him a licence for Skytrain after its predecessor, the Air Transport Licensing Board, and the Department of Trade had both refused to do so.

But the Labour Government refused to give the Laker company the necessary designation, and Sir Freddie had to fight a long battle through the courts against Mr Peter Shore, who was then Secretary of State for Trade, to win the freedom to operate his licence without political control.

One result was that Mr John Nott introduced an Act in 1980 which ended the Government's "policy guidance" to the authority on cases such as Skytrain or a new Peoples' Airline. The authority can make its own decision on its own assessment of the economic criteria.

That is just what Mr Colgate, aged 55, civil servant on a deputy secretary's salary, is said to be good at. Although possessed of a certain shrewdness and a capacity for modest wheeler-dealing, he is "prudent, far-seeing, and scrupulously fair", one senior airline executive says.

Airline licence hearings are held in public at the authority's circular skyscraper off Kingsway in London, and are normally conducted by a panel of three to five. The panel is usually chaired by Mr Colgate or Sir Neville Foulkes, his chairman, who was formerly with ICI and the British Airports Authority. He is due to retire next month. Its findings are

Chairman, has made it clear that he thinks the Laker experiment has failed, dragging down others with it and "a little honourable wound" is to sweep away the Laker debris rather than set the whole thing going again.

That is, of course, a self-interested view, but it is one that Mr Colgate and his colleagues are bound to consider.

Politicians, however, may still have the last word. Whatever the authority may decide on the revocation of Laker's old licences or the granting of a new one, there is still a right of appeal to the Secretary of State.

That right has been made use of by Sir Freddie when the authority refused him a licence to Hongkong on the ground that the route would not stand more than two profitable operators. Mr Nott reversed the decision.

In fact, Hongkong then refused Laker granting one to Cathay Pacific instead, which could be a good thing because the route has been unprofitable so far, and Sir Freddie's could have collapsed earlier had it been flying it.

A People's Airline rising phoenix-like from Skytrain's ashes is, however, a much more complex matter than a decision about who should fly to Hongkong; and even a Thatcher Government may hesitate before rushing to espouse Sir Freddie's cause again.

# TOXIC WASTE PLEA

Mr Peter Temple-Morris, Conservative MP for Leominster, yesterday demanded a public inquiry into plans to dump toxic waste at a site adjoining a hospital at Bromyard in Hereford and Worcester. He claimed that there was concern about possible pollution of underground water sources.

# AN OPEN LETTER TO ALL ELECTORS IN SCOTLAND

## WHATEVER YOU BELIEVE

- Whether you agree with the Lord Chancellor that the system of governing Scotland, "scarcely bears examination" and is, "absurd". (note a)
- Believe that the majority "Yes" win in the 1979 Referendum (64% poll) can no longer be ignored. (The Referendum followed on the majority Report of the Royal Commission on the Constitution in favour of a Scottish Legislature, after a four year's study of all aspects of the matter).
- Believe that Scotland should be independent, like Norway (1% unemployed) or Switzerland (nil rate) (note b)
- Believe that the present Committee on Scottish Affairs should have power to frame legislation on tax and other reforms for the "free vote" of Parliament. (A model for N. England and other parts of the U.K. — but only Scotland is in a position to give the lead).
- Believe that something must be done to counter the drain to the dominant centre of the U.K. — with the consequent "Hand-out" "Branch-Office" economy of the outlying parts.

## REMEMBER THIS (note c)

If you want any reform — however slight — you have no alternative but to vote Nationalist

FOR THIS REASON

Without evidence of Nationalist support (in both Local and Parliamentary Elections) MPs and the media will continue to consider that we are happy with things as they are. And nothing will be done.

Any political party which pretends to be able to deliver reform in face of a low Nationalist vote is misleading itself and the electors.

The ALTERNATIVE to reform is the ever increasing drain to the centre. With the ever increasing danger that the patient will become too weak to recover.

This Open Letter is compiled and issued by Mr. Peter Thomson, Advocate, Haughthead Farm House, Uddingston, Lanarkshire. Mr. Thomson is not associated with any political party or organisation. He seeks to publicise the viewpoint that all aspects of the constitutional position of Scotland should be brought out into the open.

NOTES:

(a) "The Dilemma of Democracy" Lord Hailsham, Collins 1978. At Page 168.

(b) Scotland (11%) — mid 1981.

(c) Based on the results of research into the number, influence, and apparent strength of conviction of those opposed to reform.



## Defence

**£15m for**

## urban pro

## Programme

## Peer seeks c emphasis in

## change of education

*[The following text is extremely faint and largely illegible due to poor scan quality. It appears to be a continuation of a letter or document.]*

The letters said: "Due to recent legislation passed by the Conservative Government, I have to inform you

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## Wales

## motors will cost £300m

payment to the US Government and industry is expected to be of the order of £30m. The major part of the expenditure will be in dollars. The purpose of equipping Polaris with new motors is to ensure that the weapon system remains effective until the

listened to the examination of the search for an alternative system which would be an effective independent deterrent into the next century. I do not believe that any one has yet been suggested, whether by Mr Speed or anyone else.

Oil and gas exploration, while directly the concern of an administrative department, had been a matter which the Prime Minister had had to be constantly informed about. The central council also dealt with this.

Lord Strabolgi, for the Opposition: The British Museum is just as much part of world culture as the Parthenon.

It is encouraged by an

The trust says that the Government's reply, not yet officially published, holds out little hope that conditions will be improved. Dr Stephen Shaw, a director, says: "If anyone but the Government was responsible for such

## Lords Questions

the programme for

system. Having taken part in and

property had engaged increasing

## The Earl of Avon: When Lord

bear his remarks in mind.

and only a third from rail, in **John Howard and Company.**

found at Marsh Lock, near Henley, a few miles away.

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## The Earl of Avon: When Lord

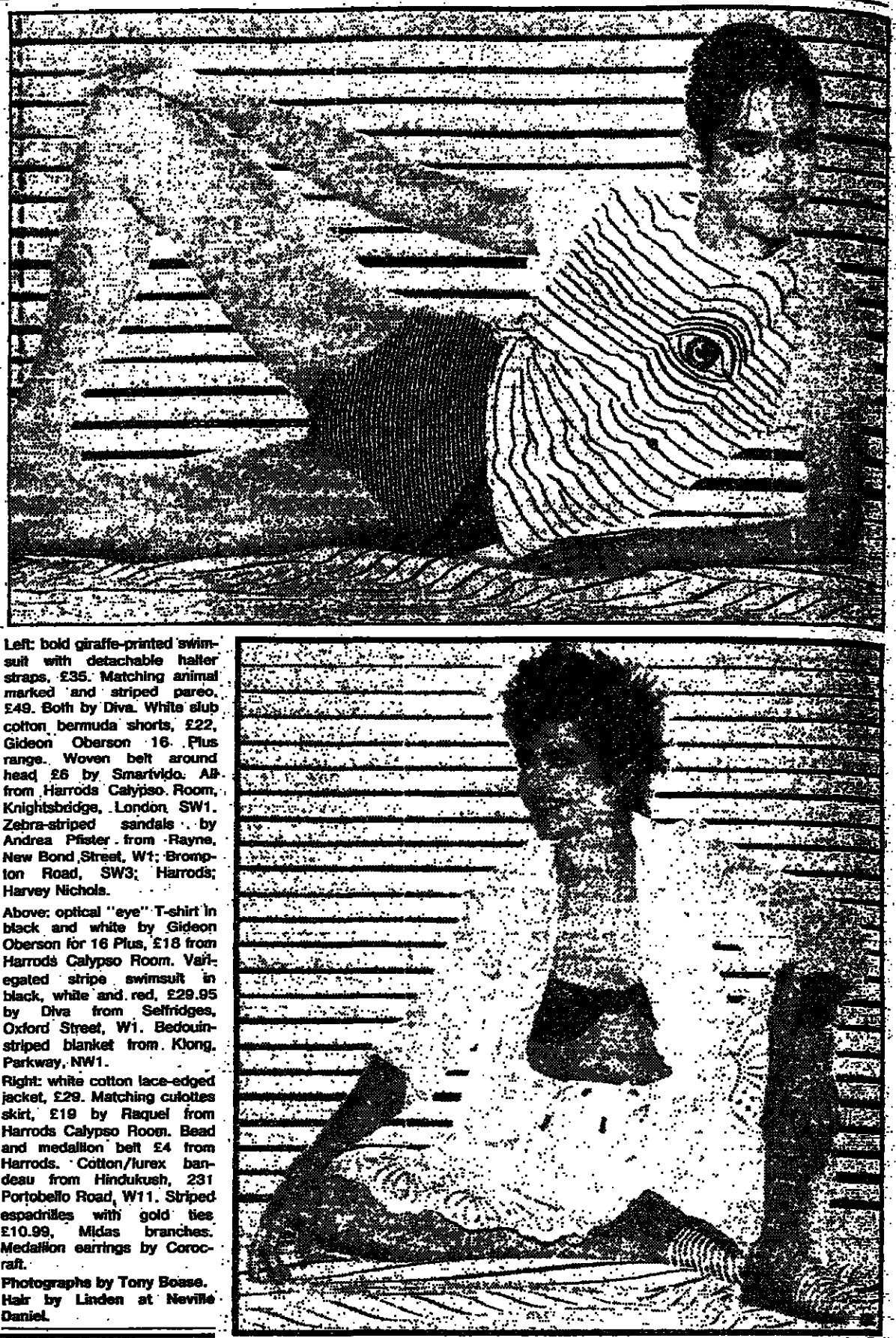
bear his remarks in mind.

would come from road traffic and only a third from rail, in  
 crush shippers, Ram-  
 drough Construction and  
 John Howard and Company.

January floods, has been found at Marsh Lock, near Henley, a few miles away.



# Israeli fashion by Suzy Menkes



Left: bold giraffe-printed swimsuit with detachable halter straps, £35. Matching animal-printed and striped pareo, £49. Both by Diva. White slub cotton bermuda shorts, £22. Gideon Oberon 16. Plus range. Woven belt around head £6 by Smarivida. All from Harrods Calypso Room, Knightsbridge, London SW1. Zebra-striped sandals by Andrea Pflaster from Rayne, New Bond Street, W1. Brown leather sandals, SW3. Harrods, Harvey Nichols. Above: optical 'eye' T-shirt in black and white by Gideon Oberon for 16 Plus, £18 from Harrods Calypso Room. Vented stripe swimsuit in black, white and red, £29.95 by Diva from Selfridges, Oxford Street, W1. Bedouin-striped blanket from Klara Parkway, NW1. Right: white cotton lace-trimmed jacket, £29. Matching culottes skirt, £19 by Raquel from Harrods Calypso Room. Bead and sequin swimsuit, £24 from Harrods. Cotton/lurex bandeau from Hindukush, 231 Portobello Road, W11. Striped espadilles with gold ties, £10.99. Midas branches. Medallion earrings by Corcoran. Photographs by Tony Stone. Hair by Linden at Neville Daniel.

## Sunbaked and stylish

The hottest fashion debate in Israel is whether the members of the Knesset should continue to wear the founding fathers' uniform of shirt sleeves and sandals or whether they should be forced into suits.

For a country with a lot on its plate (the price of meat went up by 15 per cent while I was there) this argument seems like dressing for dinner while Rome burns. Or perhaps it is a crafty ploy by Israel's fashion industry to push up the sale of suits. Israel now exports more clothing to Great Britain than to any other country in the world — a third of its entire production. At a time when overall fashion exports have declined (by 10 per cent) and during Britain's

recession, the rise in exports from £29m (about £15m) in 1977 to £96m last year, seems astounding.

Swimwear and leatherwear dominate Israel's fashion as surely as the twin mosque domes gleam among the dusty buildings of the old city of Jerusalem.

This Israel Fashion Week was actually the first of the international shows for next autumn and out of the swimwear selling season. But names like Gortex, increasingly Diva, and Gideon Oberon have established themselves as international known fashion companies. Oberon, Israel's only Paris-trained couturier, has an architectural shaping to his newest swimsuits, which are often cut without side seams but gently ruched at the bosom. Optical patterns and prints are a feature of his swimsuits and his 16-Plus sports range (on sale at Harrods).

There is nothing definably Israeli about any of the swimwear, except

perhaps the colours drawn from the deep blue Eilat stones, the amber sunbaked earth, the brilliant turquoise Muslim ceramics and the insistent olive green of the military uniforms.

Leatherwear too has an international sense of style, with Beged-Or's Renaissance tapestries of suede (neat doublet jackets, court jester tunics and big quilted skirts) competing for the buyers' attention with Guy Fulop's antiqued flying jackets and sporty leather separates.

Oded Gera, the designer for Beged-Or, also did a ravishing collection of furs (big Swakara and leather reversible travel coats and baroque brocade and fur evening jackets) for Scharf's Furs. He is one of a small band of Israeli designers (with more being intensively trained at the Shenkar design college) who are asked for infusions of imagination and creation to change the landscape of fashion.

But just as the tower blocks of

modern hotels are now etched into the hallowed skyline of Jerusalem, so Israeli fashion has had to come to terms with the modern world. There has been massive investment in ultra-modern plant and machinery — such as Barbour's computerized stripper that can store 10,000 different combinations of patterns in its memory bank. When agricultural experts find a way to grow mushrooms in the stubble of cotton fields it actually means more for the future of the fashion industry than the fact that Terry has produced Israel's first ever Ski.

Beged-Or, Israel's prestige leather company (despite last year's collapse and rescue) is now owned by Polgar Enterprises, a giant Israeli conglomerate which explains much of the country's export success. Using advanced technology, their basic plants produce the wool acrylics, linen, denim or corduroy gobbled up by their clothing factories.

The problem for Israel is to balance the status of high fashion with the foreign revenue brought in by selling anonymously to high street multiples. On the one hand is Maquette's pinstriped blouson jacket currently selling like hot bagels for £45 at M & S. On the other is Guy Fulop's glossy hide brown flying jacket with cunning inserts of perforated scarlet suede, worthy of a window display in the world's most chic stores.

Many Israeli companies are vertical, from the raw cotton to the clothing mills, so they are obliged to design for mass production. In this case, the country's fashion industry is a discreet negotiator. The Delta Textile Company is churning out all the prestigious Pierre Cardin briefs. What's in a name? Or perhaps the country that made the desert bloom can think of a way of weaving Jerusalem's golden magic into our underclothes.

another new look. The children's casual clothes and the practical babywear was of high a standard.

The great divide between the image-makers and the mass-production merchandise sold to the Debenhams Groups, John Lewis and C & A, is reflected in the export figures. Only 1 per cent of the £96m total is made up of the glamorous swimwear, and just 5 per cent in leather, according to Hanna Weiss of the Trade Ministry. The fastest-growing clothing section for fashion exports is actually men's underpants.

I wonder whether the Israelis should care so much that their fashion has an image, when the Delta Textile Company is churning out all the prestigious Pierre Cardin briefs. What's in a name? Or perhaps the country that made the desert bloom can think of a way of weaving Jerusalem's golden magic into our underclothes.

## Divisional Court

## Law Report February 16 1982

## House of Lords

### Date of abolition of offences under Vagrancy Act

**R v West London Stipendiary Magistrate, Ex parte Simeon**  
Before Lord Justice Ackner and Mr Justice Woolf  
[Judgment delivered February 15]

The Criminal Attempts Act 1981, which provided by section 2 that the offence of being a suspected person under section 4 of the Vagrancy Act 1824 "shall cease to have effect" after the coming into force of the Act, abolished the offence for all purposes after August 27, 1981, with the result that justices had no jurisdiction thereafter to proceed with offences allegedly committed before that date and in respect of which proceedings remained outstanding.

The Divisional Court so held granting Mr Casimir Simeon's application for judicial review against the decision of Mr Eric Crowther, a stipendiary magistrate sitting at West London Magistrates' Court on November 18, 1981, when he rejected a preliminary submission that he had no jurisdiction to try the applicant on a charge of being a suspected person loitering with intent contrary to section 4 of the Vagrancy Act 1824.

By his application, Mr Simeon sought an order prohibiting the magistrate from further proceeding with the trial and an order of mandamus requiring him to dismiss the charge.

significant provision. That was a conventional repeal provision. It was submitted that unless there was a specific reason for section 8 being dealt with as it was, it would have been sufficiently covered by the general repeal provision in section 10.

It was submitted on behalf of the prosecutor that the clearest words were required to avoid the application of section 16 of the Interpretation Act. Attention was drawn to the anomalies which would arise from the applicant's interpretation of section 8 of the 1981 Act.

The prosecutor gave as an example the situation where two people were charged with offences under section 4 of the Vagrancy Act; one was convicted and sentenced before section 8 came into force. But the trial of the other was delayed until after it came into force. In such a case one would be guilty and the other not guilty.

According to Metropolitan Police figures there were 35 cases under section 4 of the Vagrancy Act fixed for hearing of which 14 could lead to a conviction under section 9 of the 1981 Act. There were 95 unexecuted warrants, 13 of which

involved cases where a codefendant had already been convicted in the same circumstances. The fact that anomalous consequences could occur was a matter of significance, it was said.

However, notwithstanding that, it was his Lordship's view that the submissions made on behalf of the applicant were correct as to the meaning of the words "shall cease to have effect" in section 8.

The effect of section 8 was that the provisions of section 4 of the Vagrancy Act ceased to have effect for all purposes after August 27, 1981 and section 16 of the Interpretation Act did not apply.

As to the anomalies which might occur — the Act had to apply from a fixed point which in certain circumstances had to be arbitrary.

It also had to be remembered that in considering whether a person was subject to penal consequences under a statutory provision, if there was doubt about the matter, the view more favourable to that person was to be preferred.

Lord Justice Ackner agreed.

Solicitors: Marcus Barnett; Metropolitan Police Solicitor.

**Hadnor Productions Ltd and Others v Hamilton and Others**  
Before Lord Diplock, Lord Scarman, Lord Bridge of Harwich and Lord Brandon of Oakbrook  
[Speeches delivered February 11]

The House of Lords allowed an interlocutory appeal by three officials of a trade union, the Association of Cinematograph Television and Allied Technicians (ACTT) from the Court of Appeal (Lord Denning, Master of the Rolls, Lord Justice Watkins and Lord Justice O'Connor) (177 WLR 139) which had allowed an expedited appeal by Hadnor Productions Ltd from Mr Justice Dillon who had refused to grant interim injunctions restraining the three officials from blocking the transmission by Thames Television of programmes produced by Hadnor.

In the course of his speech Lord Diplock, with whom all their Lordships agreed, took exception to a passage in the judgment of Lord Denning in the Court of Appeal in which, his Lordship said: "The Master of the Rolls... sought to justify the construction that he placed on section 17 (3) of the Employment Act 1980 by referring to the report in *Hansard* of a speech

made in the House of Lords by a peer, who is a distinguished academic lawyer, Lord Wedderburn, when moving an opposition amendment (which was defeated) to delete the subsection from the Bill.

"There is a series of rulings by the House of Lords... that recourse to reports of proceedings in either House of Parliament during the passage of a Bill that purport to state the intention of the Royal Assent becomes the Act of Parliament that falls to be construed, is not permissible as an aid to its construction."

Hadnor was a facility company, producing material for inclusion in regular programmes transmitted by television stations. Its income was derived from fees paid by television companies for licences to transmit the programmes it produced.

Hadnor had been formed by two personal plaintiffs after obtaining in August 1980 from the defendant Hamilton, what they believed to be assurances that ACTT would not prevent Hadnor programmes from being shown on independent television, transmission of which was an ACTT closed shop — a condition with which Hadnor had complied.

Towards the end of 1980 Hadnor made a series of

programmes, two of which were the subject of a licence to Thames and were transmitted in December 1980, without objection by ACTT officials until their attention was drawn to it by a similar licence for transmission by Thames of a further 13 programmes had taken place at the end of November 1980, and three had been transmitted in January 1981, without attracting the notice of ACTT officials until their attention was drawn to it by an unflattering reference to the series in *The Observer* in January 1981.

About that time there was a shortage of ACTT work and the uncontradicted evidence was that ACTT members feared that there might be redundancies if work that could be done in Thames studios were farmed out to facility companies.

Late in the television branch committee of ACTT passed a resolution endorsing the blocking of Hadnor's series. The Thames management deferred further transmission of the series.

Mr J. H. Inskip, QC, Mr Jeffrey Burke and Mr Roy Lemon for the union officials; Mr Alexander Irvine, QC, and Mr Christopher Carr for the company.

LORD DIPLOCK said that the interlocutory appeal arose out of the activities of three ACTT officials in an endeavour to ensure that there should be no transmission by Thames of certain programmes produced by Hadnor. The means adopted were the familiar ones of threatening to block the programmes.

Together with the writ which claimed various injunctions against the three officials Hadnor asked for interlocutory injunctions in the same terms — that the defendants be restrained from intimidating, coercing or threatening any independent television company in England and Wales so as to cause injury, loss or damage to the company.

Mr Justice Dillon refused in February 1981 to grant any of the injunctions and in a careful and lucid judgment explained his reasons for reaching that decision on the evidence before him.

An appeal from that refusal was heard by the Court of Appeal in March, by which time further evidence had been filed by each side. A reserved judgment granting all the interlocutory injunctions sought by Hadnor was delivered on April 9, 1981. The appeal was from that order.

The House should first be reminded of the limited function of an appellate court in an appeal of that kind. An interlocutory injunction was a discretionary relief, and the discretion whether or not to grant it was vested in the High Court judge who heard the application.

The function of an appellate court on an appeal from the judge's grant or refusal of an interlocutory injunction was initially one of review only. It was only if and after the appellate court had concluded that the judge's exercise of his discretion must be set aside that it became entitled to exercise an original discretion of its own.

In the instant case, no deference was paid, no reference was even made, to the reasons given by Mr Justice Dillon for exercising his discretion as he had done. The Master of the Rolls had said merely that the reason why the Court of Appeal could ignore the judge's reasons was that in the interval between the hearing of the motion and of the appeal, both sides had adduced further evidence, "so virtually we have to consider it all afresh."

His Lordship could not agree that the production of additional evidence before the Court of Appeal, all of which related to events that had taken place earlier than the hearing before the judge, was of itself sufficient to entitle that court to exercise an original discretion of its own.

If it had adopted the right approach of examining the fresh evidence to see whether the facts disclosed by it invalidated the judge's reasons for his decision, his Lordship thought it would have been seen to provide additional support for the judge's reasons for refusing the injunctions.

Having stated the facts his Lordship said that on the evidence available it could not be contended that there had been any breach by Thames of any contract with Hadnor.

Hadnor could have no cause of action against the defendants for inducing a breach of that contract. The only contracts on which Hadnor could rely were the contracts of employment between Thames and the individual members of ACTT.

At the trial the issues would be: (1) Whether the defendants had committed any common law tort of interference with business by the use of unlawful means or intimidation? (2) If so, whether

they were acting in contemplation of or furtherance of a trade dispute as defined in section 29 of the Trade Union and Labour Relations Act 1974? (3) If so, whether they were entitled to immunity from liability in tort by Hadnor under section 15 of the 1974 Act?

But at the interlocutory stage the judge had to follow the guidance given by the House in *Reliance Ltd v O'Brien* (1975) AC 396, 407, and ask himself whether on issue (1) there was a serious question to be tried. To issues (2) and (3) he was to apply the 1974 Act as amended.

On issue (2) Mr Justice Dillon had no hesitation in holding that the defendants were acting in contemplation of or furtherance of a trade dispute, and neither had his Lordship.

The present appeal arose so present a classic instance of a trade dispute arising out of years for job security in a period of high unemployment.

On issue (3), his Lordship having reviewed the evidence, agreed with the judge that the likelihood of the defendants establishing at the trial that they were entitled to immunity in tort for their acts was very high.

His Lordship added for good measure that he thought the judge was entitled to take the view and to attach weight to the fact that whatever the result of the trial might ultimately be, it would have no practical use to Hadnor, no fault with the way the judge exercised the discretion vested in him in deciding to refuse the interlocutory injunctions sought, and nothing in the additional evidence before the Court of Appeal which in any way falsified or conflicted with the evidence on which the judge based his decision.

The Court of Appeal order should be set aside and the order of Mr Justice Dillon restored.

Lord Fraser, Lord Scarman, Lord Bridge and Lord Brandon agreed.

Solicitors: Brian Thompson & Partners, "Snamore", Nait & Oliver.

**MR JUSTICE WOOLF** said that unless a contrary intention appeared in the Criminal Attempts Act 1981, section 16 of the Interpretation Act 1978 applied so as to provide for the continuation of legal proceedings commenced under section 4 of the Vagrancy Act 1824 before section 8 of the 1981 Act came into force on August 27, 1981.

Section 8 provided: "Section 4 of the Vagrancy Act 1824... shall cease to have effect". If section 8 stood alone it would not be possible to contend that section 16 of the Interpretation Act did not apply.

It was, however, submitted on behalf of the applicant that having regard to the Criminal Attempts Act as a whole, a clear contrary intention was expressed in section 8.

Section 10 was the most

**K v K**  
Before Lord Justice Ormrod, Lord Justice Dunn and Sir Sebag Shaw  
[Judgment delivered February 11]

In granting an application under section 37 of the Matrimonial Causes Act 1973 to set aside a reviewable disposition the court must be "satisfied" that the disposition had been made with the intention of defeating the applicant's claim for financial relief. That was the standard of proof provided for in the section so it was irrelevant to refer to the standard of proof used in fraud cases.

The Court of Appeal so stated in dismissing an appeal by a former wife from a decision of Mr Justice Hollings. The wife had applied to set aside two deeds executed by her former husband in 1974 and 1975 by which he disposed of his half-share in the matrimonial home which they

had both held as tenants-in-common. The registrar had ordered that both deeds be set aside.

On appeal by both husband and the husband's daughter from his first marriage who was a beneficiary under the disposition Mr Justice Hollings varied the registrar's order by discharging that part of his order relating to the 1974 deed.

Mr Michael Horowitz for the wife, Mr John Boggis for the daughter, Mr Mordecai Levene for the husband.

LORD JUSTICE ORMROD said that the disposition had to be made with the intention of defeating a claim for financial relief. The intention leading to the disposition was the criterion which brought the disposition within or without section 37.

In his endeavour to find a parallel Mr Boggis had referred the judge to section 172 of the Law of Property Act 1925 and

relevant passages on that section in *Halsbury's Laws*. Unfortunately section 172 dealt with fraudulent conveyances and the passages referred to the "badge of fraud" and gave various examples.

Mr Horowitz said the judge had misdirected himself on the standards of proof. His Lordship agreed that that was the wrong way of approaching the question.

It was a pity that the word "fraud" was often uttered in cases where it was not directly relevant. The word should not be used unless it was directly relevant to the case. Section 37 was explicit about the standard of proof. It stated that the court must be "satisfied".

The question that the judge had to ask himself after reviewing the evidence was "am I satisfied that the disposition was made with the intention of defeating the wife's claim for financial relief?"

That was the way to approach the case. Having looked at the relevant facts in the present case, his Lordship's view was that there was no evidence to support the inference that the first disposition had been made by the husband with the requisite intention in mind.

If the judge had applied that test he would have come to the same conclusion. One thing was abundantly clear and that was that at all times it was the husband's intention in making the dispositions to set up a secret trust. Leaving aside the question of whether or not the judge had misdirected himself by referring to the "badge of fraud" the judge was right in dismissing the wife's claim.

Lord Justice Dunn and Sir Sebag Shaw agreed.

Solicitors: A. H. Kurts & Co, Hayes, Middlesex; Kanter Jules & Co, Hammersmith.

At the trial the issues would be: (1) Whether the defendants had committed any common law tort of interference with business by the use of unlawful means or intimidation? (2) If so, whether

they were acting in contemplation of or furtherance of a trade dispute as defined in section 29 of the Trade Union and Labour Relations Act 1974? (3) If so, whether they were entitled to immunity from liability in tort by Hadnor under section 15 of the 1974 Act?

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THE ARTS

Galleries

# Landseer: the brutal sentimentalist

Sir Edwin Landseer

Tate Gallery

Man Proposes — God Disposes: Prints by Sir Edwin Landseer and his Followers

Christopher Wood Gallery

Engravings after Sir Edwin Landseer and Others

Malcolm Innes Gallery

It can come as quite a surprise — or quite a shock — to see for the first time the original of a painting one knows well in reproduction. I recall the first time I set eyes on Landseer's *The Monarch of the Glen*, in Edinburgh appropriately enough, as part of the *Discovery of Scotland* show in 1978. Though my own childhood home had been firmly stripped of such "Victorian monstrosities" I had, through elderly relatives who did not feel self-conscious about Victorian prints on their walls, and I can recall at least three versions of the *Monarch* — just the sort of thing Christopher Wood has in his show of prints by Landseer and his followers *Man Proposes, God Disposes* (15 Motcomb Street, until February 26) or Malcolm Innes in his show of engravings after Landseer at the Walton Gallery, 172 Walton Street, also until February 26.

But the real thing is a very different matter. Who would have thought, to begin with, that it would be so large? And who could guess from even the finest contemporary engraving at the colour scheme, the quality of the paint? Especially since in this case neither is very appealing: behind the giant stag — rendered, oh yes, with considerable skill and a wealth of precise observation — there is a very great deal of hazy mountain slope and purplish-blue cloud, painted so broadly, indeed coarsely, as to be devoid of all interest. Unless, that is, you can stretch a point and see Landseer as some kind of precursor of Pop Art. It makes one wonder if some of Landseer's bigger, later works were not painted primarily for the sake of the large reproduction market (Landseer was one of the first painters really to get the measure of that, perhaps because he came from a family of commercial engravers), rather than the engravings being an incidental result of the pictures' success.

Maybe we are not being quite fair to Landseer in this particular case. His means were at least generally well adapted to his ends, and in the large-scale Landseer show at the Tate (until April 12) we are seeing *The Monarch of the Glen* at eye-level, when it was originally conceived to be seen from below, at a distance, as part of the decor for the House of Lords refreshment room. But the

fact remains that for all its fame as an image (perhaps partly because of it), *The Monarch of the Glen* is not a pleasing painting. And its unpleasing qualities are shared by a disturbing number of other works in the show. If we want to revalue Landseer we cannot do it merely by saying what a jolly good painter, what an excellent technician the chap was. Sometimes he was, sometimes he was not — to such an extent that it is often difficult to believe that the same man painted adjacent works.

These matters are of course quite separate from our reactions to the subjects the technique was used on. There is altogether too much, too explicit, carnage of deer, birds, otters, bulls and the rest of the animal kingdom for most modern taste, and the show should offer the anti-blood sports lobby a field-day. We can dismiss this as part of the period, we can find in it a possible reflection of Landseer's own mental and emotional disorders, we can even allege (though it seems to me shaky evidence) that the paintings were meant to disgust us. But, however you approach it, the problem still has to be dealt with.

This no doubt sounds curious of a painter whose main modern reputation is for extreme sentimentality faced with anything resembling a cute little, or even a cute big, doggy. But sentimentality and brutality are often opposite sides of the coin. Quite possibly the same man that drooled over anthropomorphized pets could go out and slaughter their untamed relations with complete abandon. There is plenty of evidence in Queen Victoria's *Journal of Our Life in the Highlands*, even after bowdlerization by Arthur Helps, that the virtuous Prince Albert loved to do just that. It was only natural that a court favourite should take his standards uncritically from the highest in the land. Whether that makes for good art is more arguable.

So we may reasonably suggest that the case for a wholesale upward revaluation of Landseer is not yet completely made out, and this show gets us not much further towards it. But it does at least make clear that Landseer cannot, either, be just written off. There are some extraordinarily accomplished pictures at the Tate, and some extraordinarily beautiful ones. Some of the latter are indeed among his most characteristic productions. The portraits of specific animals, especially of the Royal household, are nearly always free from the vagueness, utterness and sentimentality of the famous story-telling pictures like *Dignity and Impudence of High Life* and *Low Life*. *Macaw, Love Birds, Terrier and Spaniel Puppies*, belonging to *Her Majesty* (1839), for example, is a masterpiece of its kind, suggesting exactly the character of each animal and binding them together into a fresh and vivid colour composition, while the *Pair of Brazilian Monkeys* poised on a pineapple, fascinatingly watching a wasp (also, inevitably, "the property of Her Majesty"), has that wonderful ease and economy that marks much of Landseer's work in his earlier, happier years. His way with intricately articulated compositions, even to the last, remains remarkable: however

many figures and subsidiary incidents, it is only very occasionally that, as in *Rest Day in the Wilderness* (1868), the eye cannot take in the essentials at a glance and the mind work out the details later. There are also some isolated things which are unexpectedly appealing. *Coming Events Cast Their Shadow Before Them* is interesting less for the battle between the stag that it implies as for its extraordinarily subdued blue-grey colour scheme which makes it look more Nazarene than English. The handful of caricatures shows a very expert and witty observant Landseer. And there is one astonishing piece, *Charles Sheridan with Mrs Richard Sheridan and Child* (1847), left unfinished because of its subject's death, which gives evidence of how dashingly Landseer sketched out his designs and applied the under-painting.

Landseer ended up not rivaling Turner (in a very different way) for the title of first of the Impressionists, but rather figuring, within his staid Victorian garb, as the last of the full-blown Romantics. Though we have tended to think of him as the epitome of everything we dislike about the Victorians, this show makes abundantly clear that his artistic impulses and criteria all refer back to an earlier era. The affinity with Sir Walter Scott (subject of an excellent portrait) has frequently been noted, and it can be seen only in the earlier period pieces like the *Chevy Chase* pictures and *Hawking in the Olden Time*; the same kind of full-blooded, self-conscious Romantic spirit runs on to the last, even if overlaid by a lot of over-smooth painting technique.

It is perhaps related also to his later taste for odd symbolism, in pictures like *The Baptismal Font* (exhibited in the year of his death, 1872) where the sheep are deployed around a font curiously sited in the middle of a field with a proto-surrealist literalness which recalls German Romantic painting. Certain it is that just when you think you have got Landseer taped, something else crops up to confuse simple formulations and set you thinking and reacting all over again. Nor must I forget to mention that the ins and outs of his career are admirably (if no doubt to some over-enthusiastically) charted in Richard Ormond's fine production.

Catalogue is basically what it is, but it exemplifies the most ingenious solution yet to the problem of ensuring a longer life for a quite expensive book (£16 hardback from Thames and Hudson, though only £5.95 paperback at the exhibition) than merely the duration of the exhibition. Everything is illustrated with all necessary supportive details, but the pictures are arranged as though primarily illustrations of Mr Ormond's scholarly yet readable biographical-critical text. Unless you looked carefully, you would never realize that this was anything but a superior (very superior) coffee-table book. Agree or disagree with its conclusions about the interest and importance of Landseer today, it is well worth getting and keeping on its own merits, filling a noticeable gap in studies of nineteenth-century British art.

John Russell Taylor



Freshness, ease and economy: "Macaw, Love Birds, Terrier and Spaniel Puppies"; and "Pair of Brazilian Monkeys"



Concerts

## Powerful artistry

Philharmonia/  
Groves

Bletchley

Hearing Rachmaninov's second piano concerto is much like revisiting adolescence, but at least Ian Hobson makes it an intelligent exercise. This was the concerto with which he won the Leeds competition last year, and he clearly recognizes the potential offensiveness of self-indulgent sentimentality produced to order. On Sunday, playing the work again with the Philharmonia under Sir Charles Groves, he bared not his soul but his artistry. In the slow movement, particularly, it was an unusual pleasure to hear attacks sitting bolt upright on the beat, not lagging behind in forced ecstasies of emotion. And, without denying the music's nature, he kept it in control with the determination of his left hand, the hard, mobile, accompaniment that so often Sunday afternoon concert energy and in the finale led to some almost Bach-like passages of strongly figured counterpoint.

This powerful and powerful performance came halfway through the closing concert of the Milton Keynes Spring Festival, which is doing something to stake a claim for artistic enterprise in that

blueprint for a city. Since there is still no concert hall and no theatre, the Philharmonia were accommodated in the great hall of a sports centre in Bletchley, although their dealings with Mr Hobson were not made to seem more competitive as a result; indeed, they were gentle in support and generous in the leads they offered.

The concerto had been immediately preceded by a work commissioned by the festival for the occasion, *Wild Decembers* by Elisabeth Lutyens. Although the title comes from Emily Brontë's poem "Remembrance", Lutyens has said that her piece is not at all intended as an illustration of the text, and certainly there is a laconic brevity and independence in the music, rather contrasts with the poet's prostration over a dead lover.

The scoring for brass, percussion and strings also unifies aspects of this and grandeur, especially when the ensembles are so often used in isolation and even though there is a fair bit of wintry writing for high string harmonics and glittering chimes.

Paul Griffiths

Alicia de Larrocha

Festival Hall

The Festival Hall no doubt would have been fuller on Sunday afternoon if Alicia de Larrocha had played Spanish music. As it was she chose Beethoven, Schumann and Chopin, stripping all three of hazy romantic nostalgia and transplanting them into the clearer, brighter and often fiercer light of her own land. Her liking for sharp contours was immediately apparent in Beethoven's first set of Bagatelles, played with exceptional tautness of rhythm as well as clarity of texture, and with unfailing relish of their quips and quirks. Her take-it-or-leave-it pungency was aptly Beethoven. But in the lyrical No 6 in D, her tempo was too fast for the music to speak with the requested intimacy.

Moving on to Beethoven's late A flat Sonata she at once established the first movement's calm in a liquid flow of gleaming, cascading, and uncharacteristically took the second movement as an

*allegro moderato* as if determined not to make it the rage over a lost penny often heard. The *Arioso* and *Fugue* were played with a commitment all the more moving for utter simplicity, clarity and directness. The music's deep sentiment, but not a trace of the sentimental.

Nothing in Schumann's *Humoreske* was lovelier than her melting into its closing B flat major song. There were moments elsewhere when urgency of feeling found its way to a louder outlet than the composer probably intended. But the reading brought striking revelations, not least in the inner parts and details of contrapuntal imitation of which he was so proud. She emphasized the music's imaginative daring while giving the whole structure a feeling of inevitability.

Whether Chopin's *Andante spianato* and *Grande Polonaise* needed such forceful projection remains a moot point, but it was certainly exciting.

Joan Chissell

Theatre

## Dreadful conviction

The Treat

ICA

Pam Gems's new play is about sex, and particularly how men view and abuse women sexually. Imagine a genuinely neutral opinion on the subject is possible, and objectivity on the offensive nature of much of the action can be sustained by regarding the play as a very pointed jest. It is often funny. But that would be missing the value of the offensiveness, and that would be ignoring the gruesome aptness of the final thrust of the metaphor.

The *Treat* takes place in a French brothel. For those who found the sexual encounters of *La Ronde* exhausting when spread out over an evening, Pam Gems has multiplied the sexual occasions but compacted them for a lunchtime performance. It would be difficult to count the encounters, and the sexual increases as each of her three whores takes yet another man off stage where cries of pain emerge as often as not.

From the first, the production by La Ronde captures the grotesque atmosphere of an exercise by a feminist Marquis de Sade. As the house pimp (Tim Stern) enters with the first client, the women rise, point and bare their breasts. Timothy Spall, in the first several comically vicious characterizations, examines them like horse flesh: he crushes their breasts, looks at their teeth and slaps their flanks, finally ordering a whore dressed as a little girl.

There are more fantasies fulfilled, with the actresses Frances Barber, Tracy Boden and Jenny Galloway obligingly taking on the guises of men, client's sister and bride. The parade of men is not entirely made up of monsters, but most are buying the women in anger, and woe and bruises appear on their bodies. A special celebration is planned for the

end of the day, with a party for the mayor, and for a while the question is whether all the whores will live until then.

The cruelty of the imagery is particularly leavened by jokes, and a strained common-sense between the women allows them to develop as characters. Mr Davis has recruited an assembly of extras that gives a feeling of exceptional lavishness to the production. What is worrying, apart from the nightmarish conviction of the play, is the final picture of male play. Final picture of male play. Final picture of male play. Final picture of male play.

Ned Chaillet

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London debuts

## Ambassador of the New World

The American baritone William Parker is currently touring Europe as winner of the 1979 International American Music Competition, an annual event open in turn to pianists, vocalists and violinists of any age, sex or nationality, with the promotion of twentieth-century American recital music its special aim.

Apart from Brahms's Four Serious Songs and a single Faure setting aptly chosen to exemplify roots in long-demanding programme was accordingly wholly New World. It proved him a maturely assured ambassador as warm and mellow in tone (particularly in the middle and lower registers) as in feeling, and with a shapely line only momentarily marred by a few over-anxiously attacked notes in Brahms at the outset and by understandable tiredness towards the end in the taxing quasi-instrumental exposure of *Motets* by John Harbison. Barber's *Melodies* passages best revealed his lyrical grace, while graphic storytelling in tales of the Civil War by Ned Rorem and Ives left no doubt that he has the

ring and colour for opera too.

Though in a different league, Elizabeth Page's flexible, flute-like soprano could be very pretty when in tune (it was not always) in silvery upper reaches. Her expressive range was limited by insufficient variety of colour and shortage of breath for intensity or sweep. But there were many moments when an artfully chosen programme of lighter old Italian, German, English and French favourites, with characterization at its bravest in Poulenc's *Fiançailles pour rire*.

In 25th anniversary salute to Haydn the Cristofori Ensemble played his three trios for flute, cello and piano on period instruments of which Christopher Kite's fortepiano (a modern reproduction of a 1784 Stein) was particularly eloquent as well as superb in balance. Never over-insistent, its intimately gleaming tone blended perfectly with Peter Davies's cooing flute and Caroline Brown's gut-strung cello, which closely matched perceptively musical phrasing unified the

ensemble still more. All praise to this group for conveying so much of the music's romance, its surprise and its brilliantly fragile sound-world.

Yvan and Laurence Chiffolleau, a French brother-and-sister cello and piano duo, set about their programme with such urgent vitality that broke a string and sometimes went off pitch in a sonata by Beethoven, and she drastically overpowered him in Beethoven's A major Sonata. More relaxed after the interval in Schubert's *Impromptu* and Schumann's *Five Pieces in Folk-style*, the cellist left no doubt as to how persuasively he could make his instrument sing and speak even if his phrasing sometimes seemed to end more breath and continuity of line.

Approaching classical and romantic works alike as ripe fruit from which the maximum juice had to be squeezed, the German guitarist Andreas Herzau many times defeated his own end with uneven fingerwork as well as unattractively self-indulgent rhythm.

Joan Chissell

## Dexter joins Mermaid

John Dexter has joined the Mermaid Theatre as joint Artistic Director with Bernard Miles and Josephine Wilson. The move, which came two days before the opening of his production of *The Portage to San Cristobal de A.H.* at the Mermaid tomorrow, was forecast on the Arts Page at the turn of the year.

Dexter will now divide his time mainly between the Metropolitan Opera in New York and the Mermaid. The next play that he is likely to direct for the Thames-side theatre will be Ibsen's *Little Eyolf*, an indication that the Mermaid in future will be paying quite a lot of attention to the European classical repertoire. Lord Miles, welcoming John Dexter's appointment yesterday, said: "We are both working-class boys. That is probably why we get on so well together."

Schubert's *Grande Sonate*, D 617, is little known, except to duettists, but it serves to demonstrate the beautifully relaxed ensemble and warmly cultivated tone that Vivienne and Dirk Keilback could achieve with four hands at one piano. There was playing of real character, too, in Brahms's *Variations on a Theme of Schumann*, Op 23, although there seems no way to prevent it sounding like a reduction of an orchestral work.

The subtle of Werner Heider's *Locomobile*, written in 1977 specially for the Keilback Duo, is "Dance music for seven-night machine, for piano, twenty fingers". A violent dance it would be, for this single movement is pungently dissonant and agitated, jazzy in a rather obvious way yet incorporating some real discoveries about the further possibilities of the four-handed medium.

Max Harrison

Dance

Linda Gibbs

The Place

After about 15 years with London Contemporary Dance Theatre, Linda Gibbs has used a sabbatical leave to put together a solo programme, given its first London performance at The Place this past weekend. Although much of her leave was spent travelling for her company, she has turned with only one exception to colleagues from LCDT for her choreography, making it less of a departure than might be expected from the title, *Leaving Places*.

The linking theme, in fact, seems rather more about the difficulty of doing so. It is only in the last of her seven numbers, *Go for it*, that the dance builds much impetus. The choreography by Robert North to music from Brahms's first string sextet, and really sets her moving about the stage with a brisk gaiety that is effervescent in its effect.

Robert North's music is altogether better than the first, with a dance sketch by Jane Smith that amusingly contrasts idleness and vigour, and a piece by Siobhan Davies, to Britten's *Mazurka* *Elegiac*, which epitomizes, in its juxtaposition of assertive and tentative or nervous gestures, the emotional dilemma that seems to underlie the programme.

The new pieces in the first half are another solo by North, and a duet for this time to music from Samuel Barber's *Adagio for Strings*, and a couple of pleasant but inconclusive little dances set by Anthony van Laast to music by Miles Davis and Glenn Miller. The only number before the intermission is the prologue, a repeat of the *Three Solos* which Gibbs created for herself in 1978, showing off her all-round skill in three contrasting costumes, but, unfortunately without fully matching variety of moods.

The use of spoken words between the dances, to provide continuity during costume changes, is not a bad idea in principle but needs a more rigorous choice if it is to avoid being an embarrassing let-down.

John Percival

Television

## Tragedy of ambition

Scientists since the Renaissance have cut corners in time or broken conventions of enquiry in order to beat a great rival in the field or to ensure that their theories are of practical use as early as possible; many who fail are never found out, others justify bending the rules by success. But Martin Cline blew it. A brilliant head of haematology at UCLA and the subject of David Dugan and Oliver Morse's film for Horizon (BBC2), Cline apparently had no rivals in the field of gene-transference as a possible treatment for diseases of the blood; there was no race for a Nobel Prize; he could have taken his time.

And yet in attempting, secretly, to transfer human genes into the bloodstream of another human being he not only acted against the recommendations of the Human Subjects Protection Committee in Los Angeles — which, on the advice of leading molecular biologists, considered Cline's experiments on mice insufficient to humans — but he also ignored guidelines laid down by Washington and failed to inform his hosts at the Haddassah Hospital in Jeru-

salem that he had done so. They in turn felt their trust had been abused, yet the Israeli Human Subjects Protection Committee itself had taken his animal data on trust and failed to consult its Californian counterpart; presumably it too was excited by the chance to spring a spectacular surprise upon the world.

The experiment failed: the (anonymous) patient was unharmed but neither were her chances of survival notably increased. Nothing had been proved. Back on the West Coast, the story of Cline's over-eagerness broke in the *Los Angeles Times*, his files were tampered with out of hours, he lost the headship of the department and all funds for future research. Elegant and persuasive, he is still teaching there, and he talks, of course, very well. Not even Horizon's use of melodramatic music and stage reconstructions could diminish a tragedy of intelligence and ambition, clearly and fairly told. Repeated next Sunday, as usual, strongly recommended.

Inventive comic actor: Sachs in "Dead Ernest"

Michael Ratcliffe



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Aldwych  
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THE FOREST  
by Alexander Ostrovsky  
A winner... irresistible...  
Magnificent... a superb double act by Richard Pasco and Alan Howard  
Not to be missed...  
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Four voices from the West: Zbigniew Brzezinski, who was President Carter's national security adviser, begins a major re-examination of the state of the North Atlantic alliance

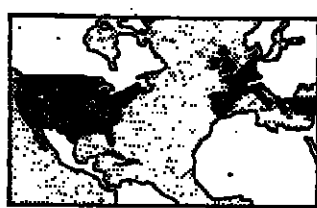
## The key question Poland poses for the West

The events in Poland are pregnant with international consequences and they require a serious and long-term response. In shaping our policy, Americans must focus not only on what is happening, but also on what is likely to happen within Poland itself, but bear in mind at all times the broader European dimension as well.

I sense in what is happening now — and not just because of Poland, but because of Afghanistan, and, less immediately and directly, earlier because of South Yemen and Ethiopia — that a significant shift is occurring in our mutual perceptions in our attitudes, and that a series of commitments is being taken that may prove to be lasting and may in turn be described by historians some years hence as involving one of the fundamental turns, one of those basic crossroads, in the American-Soviet relationship which then generate commitments that endure for a long period of time. We may, in brief, be witnessing a rekindling of the Cold War.

Even short of that somewhat ominous prospect, I think we are justified in saying that the foreign consequences of the events in Poland are revealing another historically significant reality, namely that the prevailing conditions in Europe are beginning to outlive the post-Second World War arrangements, the post-Second World War states of mind.

The structural crisis of the Soviet system is matched by progressive dilution of Western cohesion and perhaps even by the fragmentation of Western unity. It should be the purpose of American policy, in my judgment, to try to create conditions in which peaceful accommodation in Poland again becomes more likely, so that East-West accommodation becomes more likely



TROUBLED ALLIES 1

as well. In that context we stand a greater chance of preserving Western unity.

I believe that our response so far has been adequate in a limited, negative sense. That is to say, we have made it clear that there are certain punitive costs, particularly for the Soviet Union, for what has transpired. But our policy in a broader sense has been inadequate, for it has not taken fully into account the need to use whatever leverage we have to maximize the prospects for positive change in Poland and for better East-West accommodation.

In my view, therefore, we need to think more systematically about the need to combine a punitive response to the probability that the conditions in Poland will worsen with genuine incentives to Moscow to consider a change of course in a more positive direction.

For most East and West Europeans, to a far greater extent than most Americans realize, the historical legacy — and I speak of the historical legacy, and not of the legal precision — of the 1945 Yalta agreements is matched by progressive dilution of Western cohesion and perhaps even by the fragmentation of Western unity. It should be the purpose of American policy, in my judgment, to try to create conditions in which peaceful accommodation in Poland again becomes more likely, so that East-West accommodation becomes more likely

I was struck that when this issue was raised by President Mitterrand in Europe, and by myself

recently, it evoked a very strong and sensitive Soviet reaction. The renunciation by the United States of the Yalta legacy — and this should not be read as meaning I wish to renounce the Helsinki agreements — on the grounds that the conditions of Yalta no longer exist in Europe, that Europe has regained its cohesion and organic unity, would have a significant impact on the present context when, implicitly at least, to many East and West Europeans, the Soviet role in the East and particularly in Poland seems to be derived from the legacy of Yalta.

The American response to martial law in Poland has been designed to increase the cost to the Soviets of the continued absence of accommodation of international repression, and I have strongly supported it. However, in my judgment, it needs to be matched by a positive programme which conveys to the Soviets as well as to our Allies the tangible benefits of increased accommodation, reconciliation, and then progress on the East-West front.

Here I believe our policy has been particularly deficient. It gives the Soviets no incentive to change course, and it makes the West Europeans less likely to support us.

There are three areas in which a more positive attitude could be tangibly expressed. President Reagan in his first speech announcing sanctions referred obliquely to the possibility of a larger and more sustained programme of economic aid to Poland. I believe this needs to be repeated and made more tangible. I believe this is an area in which the West Europeans could be very cooperative, for their stake in East-West trade could be protected if there were progress towards reconciliation.

In that context, larger

East-West initiatives designed to stabilize the economic conditions in central Europe could also make political progress more likely. A comprehensive economic package needs to be shaped and postulated. It needs to be presented as part of an alternative way of coping with existing difficulties.

Secondly, I think it is very important to underline our commitment to and willingness to participate in more comprehensive arms control talks. This means in particular a return to the table on SALT II and the public exposition of how the Reagan Administration wishes to renegotiate SALT II. You will recall that the conclusion that the SALT II agreement as reached by the Carter Administration was fatally flawed.

The question is what needs to be done, in its judgment, to improve it, presumably in a fashion that is still negotiable with the Soviets. We need to make credible our commitment, in other words, to the idea that we are prepared at this stage of history, genuinely and seriously to engage in constructive arms control talks.

Thirdly (and of this I have to speak in a somewhat oblique and elusive fashion, because it is premature to be precise) we need to start thinking out loud as to how and in what respects both the character of the two alliance systems and the relationship between them ought to be changed. The fact of the matter is that both NATO and the Warsaw Pact are the products of the conditions that prevailed in the late 1940s and early 1950s. They endured largely in an unchanged form during the two subsequent decades of détente.

But if they are, so to speak, the military superstructure for certain basic political and social realities of the late 1940s and the 1950s — and if these social



## Wanted: an old style incomes policy

by John Grant, MP

The Social Democrats are the party of incomes policy. That was my view when I joined, and still is. But worthy intentions are no substitute for action and the search for a policy which is fair, workable and acceptable is inevitably proving anguished and tortuous.

What is more disturbing, however, is that the proposed options so far declared and debated have been too few. That position can and must be changed if the party's radical aspirations for a more equal society and a fair distribution of rewards are to be adequately met.

The Conservative Government, covertly has its pay policy of sorts. It is called unemployment. Fear of the dole queue has curbed both strikes and pay levels. It is crude, unjust and self-defeating for a nation in desperate need of restored economic

fortunes. Labour's position was bluntly summarized recently by NUR leader Mr Sid Weighell. He told his members: "On this matter at least, where the TUC leads the party follows." He added that their proposals for rigorous price controls and nothing on wage costs "is a prescription for bankruptcy, closures and unemployment on a scale more gigantic than hitherto."

Yet that is precisely the state of the party's counter-inflation policy at the present time. Mr Weighell is right enough. Sadly, though, he is spitting in the Bennett wind. Labour's policy is not a cost policy and the best he can hope for is some cobbled-up pretence to hoodwink public opinion in an election run-up.

Even so, his words illustrate the urgent necessity for the Social Democrats to broaden their own approach. The emergent assumption that there can be no real prospect of agreement on this contentious issue between a future Alliance Government, management and the unions, should not continue to go unchallenged. It is a belief that is bolstered by the oft-repeated arguments that the last Government's social contract was an unmitigated flop and that the prices and incomes policy of the sixties was a similar exercise in futility. Such views, to say the least, oversimplify.

Yet the understandable result is the concentration among Social Democrats on safety-first counter-inflation arrangements that require neither unions nor management to deliver. Hence the urge to opt for a wage inflation tax or for the scheme for a new brand of arbitration. Neither plan should be lightly dismissed. Their authors are distinguished economists, both of short and long standing. Even so, the wage inflation tax, in particular, may yet prove to be essential if the cynics and doubters are proved correct and the unions, especially, shun a more socially just design.

That, though, should not be our starting point. First, we should examine with more determination than is yet apparent, the case for a return to a more traditional prices and incomes policy. There is surely no need for Social Democrats to apologise for seeking to attack the most objectionable features of unfettered free collective bargaining — inflationary wage deals based on industrial muscle and inefficient and harmful bargaining structures and practices. The past should be placed in more accurate perspective. The Prices and Incomes Board helped to restrain inflation in the sixties, pin-

pointed the need for changed bargaining structures, exposed the inefficient, even anarchic, state of parts of British industry. It was bedevilled by the economic crisis around it but it has been sustained and built upon. Later, the social contract gave the unions far more much, too soon. Management was excluded. The scene was set early on for the much handled later stages. Political instability and industrial cowardice scuppered it.

Yet there were hopeful signs, even in the grim winter of discontent. The joint statement *The Economy: The Government and Trade Union Responsibilities* was one. The document *A Better Way*, which I drafted, took a firm pro-incomes policy line and was publicly backed by 12 senior union leaders, 10 of them TUC General Council members. Only one has since retired.

The suggested norm would follow an assessment of the national resources available for investment, public spending and consumption. The criteria for over-the-norm rises would probably include low pay, productivity, labour shortage and restructuring. Employment creation could well be added. Public and private sector alike would be tackled. The dubious virtues of the market economy for private sector wage bargaining may satisfy the Labour Left and the present Tory Government. But leaving the private sector to its own devices in an expanding economy could once more prove grossly inflationary, fuelling public sector demands through comparability.

In all of this, it is important not to regard incomes policy as the sole, or even main, weapon against inflation. Yet it remains a crucial element. There is, indeed, an alternative way to the Tory-Labour scramble. It is not unduly ambitious to make the effort at general agreement. SDP members would surely welcome it and most Liberals would give it a fair wind. It would, true, be a centralized approach, but decentralization must not become an easy SDP slogan. Labour-style, to be applied as a remedy irrespective of the illness.

An Alliance government will be wise to do its utmost to work with the unions and management as social partners. But it will still be a struggle to deny its political predecessors. It will be in shock to no-one. It need not be involved in one-sided bargains. It can offer a longer term policy, based on consent, to be fairly applied in the interests of the whole nation — and especially of the jobs.

If those social partners are too blinkered, too bloody-minded, too gripped by sectional interests, to participate, then the wage inflation tax can be ready and waiting in the wings. I may yet prove to be the best policy we have got. But I believe that there is a better way than that is first worth a try.

John Grant is the Social Democrat MP for Islington Central and the party's employment spokesman.

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## Why the animal libbers see red

Police are today expected to bring charges against some of the 64 animal rights activists they arrested after last Sunday's raid on an Essex research laboratory. This was the latest of many such weekend offensives by members of the Animal Liberation Front. RICHARD NORTH puts their case.

The Animal Liberation Front is causing all sorts of problems: but no-one had an answer to the latest ALF-inspired crisis. It occurred at Chelmsford Police Station at supper time on Sunday, and caused a flurry of phone calls.

What, the question was put by the burly boys in blue to the British Union of Anti-Vivisectionists lady, what can we give 60 hungry, arrested animal rights campaigners to have with their chips? Chicken, they would not touch. And eggs were only tempting to them if it could be proved they were free-range.

Naturally, any ALF raid hits the headlines: animal rights strike plangent sentimental chords in the British breast. But that does not stop those same people clamouring for

the products and medical research which have given rise to the annual five million experiments (performed on roughly the same number of animals which have constituted a colossal ethical problem for thoughtful scientists and animal welfareists alike).

There are a battery of laws, from the Medicines Act 1968 to the Health and Safety at Work Act 1974 which demand that products be tested, often in a way which requires the use of animals.

Standing between the researchers and the animals is an antique piece of legislation, the Prevention of Cruelty to Animals Act, 1876, which was introduced after a wave of public protests about the vivisections performed by eager anatomists and their students in the eighteenth and nineteenth centuries. By the end of the nineteenth century there were 15 licences allowing the painful experiments to be conducted; now there are about 20,000.

It is not the idea that laboratory personnel abuse their licences, (though it



In the arms of the Animal Liberation Front

takes very little procedural sloppiness to cause an animal terrible suffering), that motivates most powerfully the growing lobby to replace the 1876 act. It is rather a far more serious problem of defining what is worth researching or testing, and the means to do it, that fuels the BUAV, the RSPCA, the Committee to Reform Animal Experimentation and others fighting to introduce stringent consideration of what

have come to be called the Three R's.

Shiela Silcock is an erstwhile researcher who has left the pharmaceutical industry to work for the RSPCA's animal experimentation department: she is now trying to scan and assess the quality of research work which employs animals. She says: "The three R's are these: Replacement — are animals the best for a piece of work?

Reduction — can the researcher get as good results by using fewer animals? Refinement — does the animal have to be conscious? Does it have to die?"

The scientists themselves are beginning to respond to pressure from public opinion: they agree that men of science need not throw their authority behind society's demands for "new lipsticks, prettier-coloured tranquilisers, Lord Perry, a distinguished medical researcher and chairman of the Research Defence Society, goes rather further than many of his colleagues in agreeing that a reformed act could usefully expose potential experiments, to very public ethical scrutiny.

"Ninety-nine per cent of experiments show nothing and are useless", he believes, "but we have absolutely no way of telling which ones will prove valuable."

In the past couple of years two animal research bills, one in each House of Parliament, have been introduced. The 1980 report of the House of Lords Select Committee on the Laboratory Animals Protection Bill, which was introduced by Lord Halsbury (a former Research Defence Society chairman adds up to the most comprehensive

survey of the current debate. The Bill, as amended, is probably the best yet proposed. But the Government is unlikely to find time for it, and can relax for the time being behind the defence that there is a Council of Europe convention on the subject on the way.

The deliberate secrecy with which the 1876 Act is operated, in which it is hoped that emotive and disturbing things may be done to animals "out of sight and out of mind" is widely out of key with the notion of an open society, and it allows a ripe soup of hysteria, paranoia, misinformation and simple good heartedness to ferment.

Not many people will share the ALF's belief that nothing whatever may be done to an animal except in its own interests, and perhaps not many will trouble themselves to be inconvenienced in order to minimise animal suffering. Even fewer would accept the risk of human pain and distress that would certainly flow from the total abolition of animal experimentation and testing. But clearly animal experimentation is just one more area where scientists have to accept much tighter ethical scrutiny: without it the public's gut reaction will likely be that the ALF are something more than thugs.

## THE TIMES DIARY



The mayor of Chesham moved on. The crier, Mike Chittenden, bawls twice daily news bulletins outside Mayor Roy Lowe's jewelry shop. Lowe says: "I am afraid it is a pain in the neck for traders who also have to put up with everyone from nuclear dis-

armers to evangelists shouting God's message."

The mayor's plea has fallen on deaf ears, and Crier Chittenden is to continue shouting from the same spot. Chester's publicity officer said yesterday: "If he was not there it would disappoint thousands of visitors and there would be an outcry." Chittenden's sotto voce comment: "I would not be much use as town crier if no one could hear me."

junkyard and forgotten, until the Second World War when Dublin was having great difficulties maintaining water supplies. Thousands of gallons a day were being lost through cracks in aging pipes, and lead for repairs was hard to find.

It was then that an engineer noticed Chillybay's private parts. In this respect the horse was well-endowed. He had about a stone and half of them.

Quick examination proved they were made of lead. Chillybay was gelded at once, and the lead used to patch the pipes. Confirming the story, a corporation spokesman said the authorities had been asked what had happened to the monument 10 years ago, but had been too embarrassed to tell the truth.

A slip catch

PHS may just have saved the firm of Hodder and Stoughton, publishers with a strong reputation for religious books, a deal of

embarrassment during the Pope's visit to Britain at the end of May. The New English Library, an imprint Hodder bought last year, had chosen that month to publish a book suggesting that the Vatican has links with the Mafia and maintains the world's most effective network for espionage.

The book, *The Vatican Papers*, is by an Italian-American, Nino Lo Bello, who suggests that Pope Pius XI was murdered in 1939 and that John XXIII and John Paul I also died in suspicious circumstances. Lo Bello, who lives in Vienna, would have come to London to publicize the book, coinciding with the Pope's tour.

PHS put the diverting possibilities to Michael Attenborough, publishing director of Hodder, and the man chiefly responsible for the acquisition of New English Library, an imprint which already covers a multitude of sins (not least among them those chronicled by Harold Robbins).

It would be possible to change

the book's publication date, Attenborough quickly confirmed. It was not yet in production and could be rescheduled without great inconvenience. Would he be going away to think about that? "Yes, well, maybe."

## Disabled rights

Lord Snowdon tells PHS that there is to be no repetition of previous years' difficulties over the admission of the disabled to the Chelsea Flower Show. Last year members of the Royal Horticultural Society in wheelchairs were experimentally admitted to the show on Monday, royal viewing day. The arrangement has been confirmed for this year.

Snowdon has also successfully enlisted the aid of Ken Livingstone, leader of the Greater London Council. Henceforward, unaccompanied blind persons who wish to attend concerts at the Royal Festival Hall will be permitted to do so.

"The numbers of people involved are few", Snowdon says, "but it is a question of them being able to live as normal lives as possible and to go places as of right."

## Making grade

Lucy Bailey, a third year English undergraduate at St. Peter's College, Oxford, makes her professional debut as a stage director of the Playhouse tomorrow with a Samuel Beckett

premiere. Beckett sent the manuscript to his old friend, and Bailey's tutor,

Francis Warner. Based on an earlier prose piece, it is called *Leff* and involves Bailey explaining, "six voices interwoven in a very symmetrical and mathematical fashion." Each voice has 10 sentences in each of two "paragraphs" which make up the 25 minutes running time.

The usual detailed Beckett stage instructions are completely missing, so Bailey went to Paris to talk her ideas over with the playwright. "We differ theatrically on certain things", she says, "but he did not tell me not to go ahead."

The players in her Rohan Theatre Group include Sir Peter Hall's daughter, Jenny, and Francis Warner has a mute and immobile part as the illuminated head around whom the voices rotate.

Peter Watkins, vicar of St Matthew's, Ealing, is appealing to clerical colleagues of all denominations to erase salacious anecdotes and other funny bits from their records. Among the tit-bits so far received is the fact that until 1939 a notice in the churchyard of St George-in-the-East announced: "No dogs or women without hats allowed in."

An entry in the 1798 register of church in Chiswick reads: "Baptism: Thomas William, illegitimate son of Maria Hawes and the soldiers in New Barracks."

Sir Geoffrey Howe to dispend with income tax, corporation tax. The Rodriguez wheeze would put the squeeze (a fraction of 1 per cent per annum) on collateral, which he defines as the surrender value of a £100,000 life policy eligible for a bank loan. He is now working on a book about his idea. The provisional title is *Das Kollateral*.

## Suspended brief

It caught the eye of Senator Herman Vanderpoorten, a former Belgian Minister of Justice, that magistrates in Farnes and Bruges had decided not to prosecute young women who wore nothing but the lower half of their bikinis.

The senator sought judicial clarification from his successor at the ministry, Jean Gol. Was it to show and to look upon that which the poet has called "the pious sisters, perfect in their beauty, their curves, their proud allure, reflecting one another and making the one hang to the other?" Vanderpoorten said he "used to believe that the sea drew back twice a day because of the frivolity of feminine fashion."

The evolution of fashion in future risked inciting it to draw back even more frequently. Gol ruled that "passive" sunbathing in monokinis could be tolerated under the penal code, but only on beaches and provided nobody complained.

PHS

## Siege sequel

It will be interesting to see whether *The Guardian* carries any rebuttal of a thoughtful piece by Anne Wilson which appeared in *Education Guardian* a week ago.

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## TWIN PILLARS OF THE WEST

The big question hanging over the Western alliance, those problems we examine in a special series of articles this week, is whether it is merely passing through a period of slightly greater turbulence than usual because of a coincidence of conflicting policies, or whether some inexorable centrifugal drift is slowly killing it apart. Let there be no doubt about the point. The alliance is not much part of the natural order of things that it can be taken for granted. The United States, far from being the vengeful imperialist of left-wing mythology, has very strong isolationist traditions. It was founded on hopes of escape from the complexities of contamination of the old world. It still nurtures an admittedly dwindling belief at it is in some way specially favoured among nations, exclusive, exceptional. Admittedly there is a missionary element in this, but it tends to be asmodic. After being aged late and reluctantly to the European theatre of a world wars the first impulse after each was to turn home. The first time an impulse was obeyed, since there is no one but Hitler to place the Habsburgs. The cold time the impulse was warded by the twin needs to prevent Soviet expansion and maintain German nationalism. As a result, the United States as for the first time tied itself into the European security order. But the impulse to withdraw continues to surface on time to time, and is now

doing so again, partly because of the westward shift in America's political centre of gravity but primarily because of the widespread belief in the United States that the Europeans, their postwar recovery more than accomplished, should shoulder a greater share of the burdens and responsibilities of the alliance. As yet there is no serious danger of an actual withdrawal, which would anyway be wholly against American interests, but the subject is once again in open discussion, and current frictions are sufficient to keep it there. The sources of friction are numerous. American policies have been particularly heavily criticized in Europe over the past year or so, which makes the Americans feel unloved and unwanted. Just at the moment there is widespread dismay in Europe (and not only there) at Mr Reagan's massive deficit budget. There is worry that American policy in El Salvador could provoke a communist victory instead of averting it. There is still some distrust of American policies in the Middle East. There are disagreements over Poland. And there is a general worry that America's necessary efforts to strengthen her armoury could assume a momentum of its own which might reduce rather than enhance stability. But if you take any of these issues apart you find there is no fundamental divergence of interests. The arguments are mostly about means not ends, or emphasis rather than principle. The Europeans do not want to become dependent on

the Soviet Union or subservient to it but they believe the risks are not as great as Washington imagines and that trade and diplomacy can work to their advantage. They do not want communist rule in El Salvador but disagree on how best to avert it. They want their oil from the Middle East but disagree on how best to safeguard it. They want a reformist regime in Poland but are not wholly sure how best to encourage one to emerge. Perhaps in the long run these differences will prove insurmountable and America will again retreat across the Atlantic but it is still too early for this to happen easily. The intermingling of interests is still too close, and European balance still too dependent on the American presence. The differences still look susceptible to negotiation in the pursuit of common objectives. What is needed at the moment is more balance. The United States should trust European diplomacy more. In particular West Germany's intricate and intimate relations with the east, though sometimes flawed by national preoccupations, can also be seen as a potential asset to the alliance, an expression of western strength and confidence in relations with the west and a troubled empire of the Soviet Union. Europe, for its part, will need to reciprocate with more support for America's global responsibilities and more active participation in discharging them. They are after all western responsibilities and by sharing in them Europe can better exercise influence over American policies.

## THE MAN AND THE MACHINE

The man is Dr Garret FitzGerald: the machine his ponents, Fianna Fail. They are two almost equal and opposite forces pitted against each other in the Irish general election. Dr FitzGerald in seven months as Taoiseach has projected himself the man who is prepared to lead a halt down the rake's end of deficit financing and foreign borrowing which was reneating, he says, the economic independence of a state. The frankness and shyness of his political message, not least in relation to Northern Ireland when he accuses the Republic of ingrained partitionist mentality, wins respect even when it does not win agreement. Mr Charles Haughey it seems is neither popular nor convincing, if opinion polls are to be believed. So embarrassing were the measurements taken of him by the Ulsters in the first days of his campaign that the Fianna Fail managers had to invent a plausible story that the election is not about personalities but issues, and that in the party of De Valera, mass and Mr Jack Lynch, it cannot actually take the role of leader off the road in an election campaign. Mr Haughey was flagged to the pits after the first count and has only just been reeled out again. Bushy-haired he may have ceased to be, but he has behind him the longest and toughest political machine in the British Isles, something worth its weight in charisma.

The election was called because the government could not carry its budget with the handful of independents on whose support it relied. The sticking point was VAT on children's clothes. Dr FitzGerald has now repented of that — they goofed (his word). The money will be found from beer instead, if he gets back. In all other respects the budget he would introduce again is the budget he introduced before, that is to say the toughest budget anyone in Ireland can remember. This has set something of a standard of economic rectitude, and Fianna Fail senses that it would not be safe to depart too far from it. Apart from switching on again that ultimate in infrastructure an international airport at the Marian shrine at Knock in county Mayo (the gateway to the ballot boxes of the west), Fianna Fail has been restrained in the making of local and sectional promises. It accepts the basic arithmetic of the government's budget, though it would raise the taxes for it in a less blatant way. Food subsidies would remain and so would VAT exemption on the full range of clothes and footwear. That makes over £100 million to be found elsewhere, a large sum in the context of an Irish budget. Pinned down to declare where it would come from, Fianna Fail has a set of figures which show that three-quarters of it would be raised by bringing forward the dates on which present taxes become payable — augmenting this year's revenue by robbing next year's.

The expedient suggests that Fianna Fail sees there is less to be gained from competing with the coalition government in fiscal purity than in going for its most easily detachable constituency, the Labour Party's working class vote. Labour, which lost votes and seats in the election last summer may well fall in both respects again. It is divided, in fact incoherent, about whether it is or is not fighting the election as part of a coalition, and its radical elements are restive at its association in government with the most conservative party in the state. Fine Gael may again increase its vote and enlarge its representation in the Dail, but it cannot form a government on its own and it may be denied the opportunity to do so by further decline of the Labour party. Fianna Fail's battle-honoured slogan that it alone can offer stable government makes sense once again. Northern Ireland has figured very little in the campaign, much to the relief of that province. When asked why he was not bringing it to the fore Dr FitzGerald replied that it would be unfair to the electors to do so, distracting them from budgetary matters. Though himself continuing to regard the Northern question as the country's "single greatest problem", and continuing to expound his case for constitutional and social reform with an eye to Unionist opinion, his reply to the question shows a just appreciation of the ordinary Irishman's order of priorities.

## COUNCIL HOMES AND HOUSES

In the case of the council tenant it is her landlord's land, and finds her position thing but dust and ashes, is that the young Bernard Law might have seized on this glee, and with little mercy for the town hall portmanteau that it exempts. Mrs Anne Bury is the victim of a loophole in the 80 legislation that gave council tenants the right to buy their homes. There are some 50,000 such homes in the six million council houses in Britain, and only a particularly niggling about councils have taken advantage of the anomaly. It is bad luck for Mrs Bury; legislative short cuts of kind generally lay grief store for someone. But even tenants more fortunately placed have not been falling over themselves to buy their council homes. Only about 1 per cent have angled hands since the new law came into effect more than a year ago. The slow pace is partly an effect of the recession, but it also confirms that purchase is not a realistic option of escape for the majority. There was a sign of government recognition of this in Sir George Young's words last week about tenants

"trapped" in the public sector, not in a spirit of self-congratulation about the Housing Act, but, warningly, to remind councils of the need to make their properties tolerable to the millions there who have no effective choice of homes. The Government has been too apt to act as if enfranchisement of tenants had cleared up Britain's housing problems, when in fact it hardly touches the most serious aspects of the matter at all. A rise of 22 per cent in council rents is assumed next year. Already in the last two years rents have risen by almost half in England and Wales, while general subsidies have fallen by nearly a third in cash terms. There is a latent political issue in the sharp contrast between these figures and the movement of tax relief on mortgages in the same period. More immediately there is the question of how much further the rise in rents can in practice go. Increases since 1974 still lag behind the increase in the retail price index, and rents still fall far short of paying for the cost of provision. In principle, it is good house-keeping to move away from general subsidies to rebates

for tenants in actual need (which have probably increased by no less than four fifths in the last two years). With the growth in unemployment the number in actual need has of course grown. But as a matter of practicality, rather than principle, bigger rents mean bigger arrears, and there are already indications from many councils of a growing crisis over unpaid rents. Councils are far less successful in coping with arrears in rent than in rates, where a court order can be promptly obtained. For political and administrative reasons they are slower to act over rents set at a level that they often deplore. Many councils are administratively poorly equipped to react to individual cases quickly, before the sums involved become too great for there to be any hope of retrieving them. There is now a danger that arrears and the dearth of earnings from the sales campaign will leave councils with so few funds to devote to housing that maintenance will deteriorate to the point where serious permanent damage is done to the stock.

## Responsibility in riot coverage

From Mrs Mary Whitehouse  
Sir, It's difficult to know whether to laugh or cry — so the BBC and the IBA have commissioned another study on "the question of imitative violence". This followed Lord Scarman's conclusion that the media had played a significant role in the spread of last year's riots. And (surprise, surprise!) already the initial results indicate that television had little or no impact on the behaviour of rioters, or presumably anyone else! Times get more and more urgent. Yet the broadcasting authorities persist in their intellectually untenable, let alone uncommensurate (if Philip Howard will forgive me) claim that there is no link between television and social violence. The sight of two mighty institutions barricading themselves behind yet another sponsored piece of research is to say the least unbecoming. Why are they so terrified of admitting that they must have a constructive role to play in "cooling things"? No one is laying all the blame at their feet. No one, as far as I know is calling for any kind of external censorship. Rather one is calling for the authorities to break out of the hard ideological commitment to "no effect" which allows for neither reassessment or change. Richard Francis, Director of News and Current Affairs at the BBC, claims (February 12) that the corporation's "prime responsibility" is to present to the public an honest picture of what is happening. Surely we must beg to differ? The "prime" responsibility of the BBC, as with the IBA, has to be a far wider one than that. Would Mr Francis, if faced with, shall we say, a street garrotting, a public rape, the torture of a child, perhaps not feel the danger of even one unbalanced person being stimulated to do likewise too great a risk to take?

Knowing Mr Francis as a compassionate, sensitive man I have little doubt that he would then see his "prime" responsibility in different terms. Whether those who act as the guardians of BBC intrinsically pride will open the doors to enlightenment is another thing. Yours sincerely, MARY WHITEHOUSE, National Viewers' and Listeners' Association, Arden Road, Colchester, Essex. February 12.

## The NHS in practice

From Sir Francis Avery Jones  
Sir, If increased demand and productivity are any guide, the NHS should be strong enough to ward off the risk from the private sector that the country would develop a two-tier standard of professional care. As yet unpublished figures show that in 1980 in hospitals in England and Wales there were 6,035,862 in-patients compared with 2,936,980 in 1950. It is an interesting measure of "productivity" that the number of hospital beds needed has fallen by one third. With the rapid and well publicized advances in medical practice there has been an increased expectation by the public to benefit from them particularly in relation to the relief of chronic and often painful disabilities. This has been reflected in the sustained high waiting lists although year after year more patients have been admitted. This increased demand can be met only by providing more specialized facilities such as operating theatres and more manpower but fortunately, with better concentration of resources, fewer, not more beds are needed. Unfortunately the flexibility needed for change is much reduced by the present system of financial allocation. This is based on an elaborate theoretical calculation of "need" which virtually excludes such changing demand from its formula. There is much to be said for reintroducing an element of "use" into the assessment. The NHS has been most successful in providing a fair and even distribution of specialists' skill to treat medical emergencies anywhere in the country; indeed in this respect we lead the world. Now it must do the same for non-urgent work, and within its budget. As "path finders" the private sector continues to make an invaluable contribution to the NHS. It can quickly develop new ideas and sets the pace for improvements in amenities. Yours faithfully, FRANCIS AVERY JONES, The Athenaeum, SW1, February 7.

## London theatres at risk

From the Director of the Theatres Trust  
Sir, Mr Eddington's proper concern (February 6) for the security of West End theatres may be assuaged only in some degree. Had there been no legislation the West End theatre would have disappeared long ago, for every site in the square mile could have been used for more profitable purposes. It is a pity that the people for a few hours a day, the West End bastion of the commercial theatre (and I have always been wholly devoted to the mixed economy so far as the theatre is concerned) has been held against the onslaughts of the developers who helped to destroy the commercial theatre outside London, by a happy combination of circumstances. These include long-term leases (many now alarmingly near their end), devoted commercial theatre managers, highly developed theatre craft skills, including the finest actors in 100 per cent trade unionism, protective legislation and authorities (both Conservative Westminster and Labour GLC) ready to use their powers and, finally, the establishment of the Theatres Trust. The injection of the public element by the Arts Council has also been of vital importance. Altogether this has

## Keeping open a window for Russia

From Lord Gladwyn  
Sir, Mr Caspar Weinberger tells Congress things are so critical that it must approve a huge rearmament programme, both nuclear and "conventional", but preponderantly nuclear, though it should probably be the other way round. Otherwise he fears that the Soviet Union may jump out of Mr Kissinger's "window of opportunity" and launch an assault on the West — presumably nuclear. Naturally, while welcoming the general intention of the United States to neutralize the recent great increase in Soviet power, insofar as this can be done without ruining the economy (see *Dated War* The Times, February 12), the European members of Nato who are in the front line may well believe that this objective could be better achieved rather differently. The Russians, for instance, have almost certainly no present intention of jumping out of such a "window". No doubt they could, theoretically, eliminate all American strategic land-based missiles and still have enough of their own left to blast American cities if U.S. seaborne missiles were used in reply. But the likelihood that not all the U.S. ICBMs would be knocked out on a first strike, and that in any case even one or two coming from elsewhere would wreak enormous damage in Russia, is to say nothing of the appalling effect on the Soviet economy of a long blockade and the necessity of running a devastated Europe — would be so forbidding that a Soviet nuclear blitzkrieg can really be dismissed as the product of either the arms industry or a fevered military imagination. Admittedly, the Russians could stage some sudden non-nuclear offensive in Europe in the quite reasonable expectation of no immediate nuclear response. To

guard against this still unlikely event the West as a whole, and more especially the Europeans, need to step up rapidly and reorganize their conventional defences. To add enormously to America's nuclear power already more than sufficient to deter any Soviet first strike — at the expense of the conventional side is self-defeating. A fortiori this applies to Trident. It is also dangerous, as would be attempts to promote revolution in the Soviet satellites. If anything could make the Russians jump out of the window it would be a conviction that the West, and notably America, was prepared to evict them from their famous "glacis" — the result of the splendid victory of the Russian people (not the regime) over Hitler — designed to protect the Motherland from a fourth major incursion by Western forces in 170 years. You don't have to be a crypto-communist to think in this way. Left to itself the Soviet Union will probably suffer some kind of sea change over the years, more particularly if the West gradually applies economic pressure. But a direct physical confrontation will only rally support behind it in Russia and thus prolong its life. In sum, America should not give the impression that it wants a "showdown" with the Russians. Of course we should all try to get the Helsinki Declaration accepted in the East. But this declaration is not legally binding on the signatories and certainly cannot be imposed by "sanctions". Failure at Madrid, in any case, should not prejudice talks on arms limitation. All "Europeans" are agreed on that. Yours truly, GLADWYN, 62 Whitehall Court, SW1, February 12.

## Rape trial procedure

From Mr Andrew Geddes  
Sir, Few people would cavil with Suzsanna Adler's conclusion to her article (February 10) on the working of section 2 of the Sexual Offences (Amendment) Act, 1976, that "while the defendant's rights must clearly be protected the victim also deserves to be treated with dignity" but she makes no suggestion as to how the present situation might be improved and so long as consent remains a defence to a charge of rape it is hard to see how it could. Under the above section, the judge is required to refuse leave to the defence to adduce evidence or to cross-examine the complainant about any sexual experience she may have had with a person other than the defendant unless he is satisfied that it would be unfair to the defendant so to refuse (not that such evidence would be relevant as Mrs Adler seems to think: irrelevant evidence is always inadmissible). That process may involve the judge asking the complainant some questions in the absence of the jury (as Mr Justice Kilner-Brown seems to have done thereby incurring Mrs Adler's wrath) to see whether her

evidence might reasonably be expected to help the jury when making up their minds on the issue of consent and his decision to do so (though of course not his manner) really has nothing to do with his sensitivity or his sympathy for the complainant. Similarly evidence obtained by cross-examination of the complainant as to her provocation of the defendant (which incidentally is not a defence to rape as might be inferred from Mrs Adler's article) may clearly be highly relevant to the issue of consent, as may evidence of lack of resistance or failure to complain immediately, and it would be grossly unfair to the defendant to exclude it. A rape trial is no doubt a very distressing experience for a complainant but so is it for an innocent defendant. Unfashionable though it may be to say so, the law has got far enough to protect the complainant. To restrict further the defence's right of cross-examination would in my view be to seriously jeopardize the defendant's right to a fair trial. Yours faithfully, ANDREW GEDDES, Goldsmith Building, Temple, EC4, February 10.

## The microelectronic era

From Dr John Dawson  
Sir, Professor Pym writes disparagingly of Information Technology Year (IT82) in his letter of January 29, but he makes too little of the profound effects that will be wrought on society by microelectronics. Microelectronic techniques are progressing remorselessly and there is no return to a pre-microelectronic era. The existence of the technology generates hard choices. There is the possibility of great benefit, exemplified in much of the work that will be carried out by the health sector of IT82 during the year, and there are alternative outcomes. For example, patients who are acutely ill in hospital, as well as the elderly and other people with chronic handicaps, can be helped by microelectronic devices, and elderly people living alone in sheltered accommodation may be more secure because of an alarm which can allow two-way communication with a control centre; a deaf child can be taught to speak more easily by using a graphic display on a microcom-

puter of the sounds they make compared to the sound made by the teacher; a person who is physically disabled may be helped to communicate or to work using a specialized but simple input device to a microcomputer or word processor. However, Professor Pym is right to question the careless and socially irresponsible use of technology which may create massive unemployment and may trivialize important applications. It is, for example, only developments in microelectronics that make possible the enormous increase in lethality of the cruise missile. Information technology may elevate the human condition. On the other hand, if we fail to appreciate the choices that have to be made it may also constrain to be made to a monkey level. Information Technology Year provides the opportunity to examine the choices in which each one of us is involved. Yours faithfully, JOHN DAWSON, Chairman, IT82 Health Section; British Medical Association, Tavistock Square, WCI, February 3.

## 'Right of reply' in the press

From Mr Tom Baistow  
Sir, Professor Anthony Allott is an undoubted authority on African law, but his preoccupation with that continent's legal systems has evidently restricted his opportunities to familiarise himself with European practice in the field of what he dismisses, in his unacademically dogmatic letter (February 13), as the "unworkable" concept of the right of reply. For his information, and that of his fellow journalists, the legal right of reply has long been used in Continental countries to balance the power of the press. Three examples: In France, editors are required under the Press Freedom Act to publish, within three days of receipt and in the same place and type as the original item, the replies of any persons or organisations who allege they have been misrepresented or otherwise misrepresented. Refusals to print such replies are adjudicated on by a court within 10 days. A similar law applying to radio and television is to be extended by the present French government. Similarly, in the Federal Republic of Germany editors are obliged to print signed factual replies from anyone affected by a factual statement they have published. Denmark's press law lays down that if a publication prints factually incorrect information which may affect anyone, either directly or in terms of public opinion, it must publish, unaltered, any requested correction. It is obvious to anyone who has studied the Press Council's reports over the years of editors' failure to publish corrections or apologies that a legal right of reply is long overdue in Britain, which not only has proportional representation in the Western world but a national press that is predominantly right-wing. To take one "fact" from Professor Allott's farrago of unsupported assertions: he says that "there are so many organs of so many kinds and tendencies that you will be sure to find some vehicle for your view". This is to miss completely the point of the right of reply principle, which is that it offers the complainant the chance to contest an allegation in the same publication that made it. A report in *The Sun* (approximate readership 12 million) cannot be rebutted effectively by a letter in, say, the *Railway Review*. Clearly a right of reply law would be open to abuse unless carefully drafted to eliminate the temptation it could offer to cranks and the frivolous and unless properly policed by a reformed Press Council. But if the social irresponsibility and corrosive political bias of some of our popular newspapers are not to be matched by equally undesirable censorship by "blackening" on the part of provoked trade unions, the sooner such legislation is introduced the better for the true freedom of the press.

Yours faithfully, TOM BAISTOW, Seville Club, 69 Brook Street, W1, February 13.

## HMS Endurance

From Rear Admiral Geoffrey P. D. Hall  
Sir, Lord Shackleton and his colleagues in the Royal Geographical Society (February 4) give some excellent reasons why HMS Endurance should be retained for further service in the Southern Ocean. None of those reasons, however, is likely to cut much ice in the Ministry of Defence (any more than does the crying need for modern charts, which Endurance is helping to make). The national interests served by Endurance are hardly those for which the Ministry of Defence is responsible, and its priorities, in the face of severe cutbacks, are understandable. But what of our other Government departments: the Foreign and Commonwealth Office, Department of Education and Science, Ministry of Agriculture, Fisheries and Food and Departments of Trade and Energy? Can the same be said of them, or are they blind to the Antarctic interests for which they bear responsibility? An annual subvention from these ministries could well keep Endurance on station and, unless some such solution is forthcoming, one must draw the obvious conclusion as to HM Government's concern for our stake in that enormously rich region. Yours faithfully, G. P. D. HALL, Manby House, Louth, Lincolnshire, February 6.

## Currency market

From Mr Peter Knottley  
Sir, I note from your report (February 11) about the introduction of new coinage that the Royal Mint has a Sales Director, and wonder if he would be good enough to let us know how things are going and what promotional measures he will be taking this year. advertisement in your pages concerning any special offers or loss leaders would no doubt attract a worthwhile increase in turnover. Yours sincerely, PETER KNOTTLEY, 2 Dail Court, Dallas Road, Cheam, Sutton, Surrey, February 11.

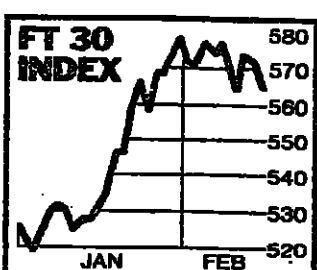
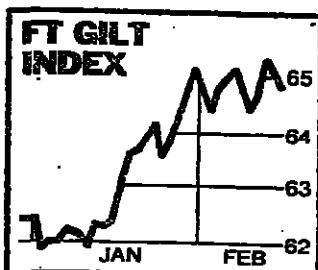






# BUSINESS NEWS

## Markets easier



London Markets continued to lose ground yesterday as dollar interest rates moved higher in response to another disappointing set of US money supply figures. The real test of markets will come this afternoon, however, once Wall Street opens. Yesterday it was closed for Washington Day.

## Mercury set for take-off

The private telecommunications consortium, Mercury, headed by Cable & Wireless, is to be granted a 15-year operating licence this week but the government is expected to allow British Telecom to retain most of its monopoly as a telecommunications carrier. Mercury will be able to lease private lines to businesses internationally but will be unable to offer services to the small subscriber wishing to make a call through an international exchange.

## Liquidator is dismissed

Chancery Lane Registrars, the company liquidating firm run by Maurice Sidney Caplan, was dismissed as liquidators of Whirell Transport in the Manchester High Court yesterday. Mr Caplan, has served two prison terms, and his firm was probed by the Department of Trade after complaints in the BBC's Checkpoint programme, and from the Insolvency Practitioners' Association.

## Contempt moves in Osprey case

Contempt of court moves have been started against a board member of British Shipbuilders and two other men in the pending action over the alleged copying of the Osprey naval patrol craft. Proceedings seeking the commitment to jail for alleged contempt were mentioned briefly to a High Court judge in London and adjourned, by consent, until February 22.

The three men are Jack Daniel, British Shipbuilders board member for warship building; David Moor, superintendent of British Shipbuilders Hydrodynamics ship tank testing laboratory at St Albans; and Mr Bill Richardson, a director of Vickers Shipbuilding and Engineering.

## New gas find

British Gas has made another discovery in the Irish Sea, about 30 miles west of Blackpool. Testing of the discovery, which is about five miles from the corporation's Morecombe Bay field (due to start production in 1984), is expected to be completed in about a week when the scale and nature of the find can be evaluated.

## Bank move

Chemical Bank, one of the big American banks operating in the United Kingdom, is moving a large part of its back office operations from London to Cardiff in a move which will create between 300 to 350 new jobs in Wales.

## MARKET SUMMARY

### Equities nervous but quiet

#### LONDON EXCHANGE

FT Index fell 6.4 to 564.1  
FT Gilt 64.79 fell 0.25  
FT all share 325.38 fell 1.73  
Bargains 19.791

Talk of a bid for Booker McConnell, the Tia Maria to Budgen supermarkets group, by Unilever lifted the price 4p to 74p yesterday as around 1m shares changed hands.

Any bid is unlikely to materialise until after the full-year figures in March, which should show a change in fortune for the troubled engineering division. Analysts reckon profits to rise from last year's depressed level of £14.9m to £18.1m.

Fury of activity in Cope shares the closing price unchanged at 45p, after 47p.

Word is that Ladbroke, down 1p at 152p, has been casting a greedy eye over Cope's business, which includes the profitable fruit machine subsidiary Bell Fruit.

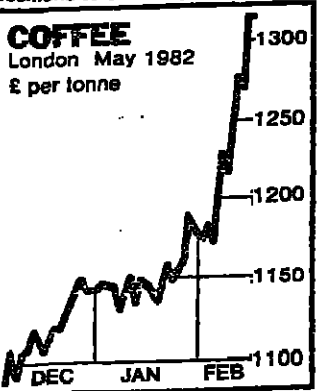
The rest of the equity market spent a quiet day nervously speculating on the Chancellor's options in his budget on March 9.

The FT Index ended the first day of the new account in a sombre mood 6.4 down at 564.1 with no lower than five if its constituents in ex-div form. Among these BOC International fell 5p to 169p, John Brown 2p to 61p, Grand Metropolitan 8p to 184p, Imperial Group 6 1/2p to 220p and Tate & Lyle 16p to 220p.

In insurance, London & Man-

#### COMMODITIES

Continuing tight supplies and low roaster stocks kept March coffee at a £71 premium over May, which closed at £13.31 a lb. Prices strengthened towards the end of the day's business after trading for most of the time below peaks reached on Friday. The physical market was quiet. But so long as the present quarter's export quotas remain in force traders expect nearby positions to show a premium.



#### TODAY

Resumed meeting of shareholders of Associated Communications Corporation, London. British Railways board meets. London. Institute of Directors seminar on overseas projects. Company results: Half-yearly: Daisley, Parkfield Foundries, Joseph Webb. Finals: Crest International Securities, Penland Investments.

#### OTHER EXCHANGES

Tokyo: The Nikkei Dow-Jones Average rose 21.43 to 7,694.18. Hongkong: The Hang Seng Index fell 21.69 at 1,248.35.

#### CURRENCIES

The dollar failed to hold on to the day's highs, with traders nervous of taking positions before seeing the reaction of American markets, closed yesterday.

#### LONDON CLOSE

Sterling \$1.8375 down 25 pts  
Index 91.7 up 0.1  
DM 4.40  
FF 11.1575  
Yen 442.50  
Dollar Index 113.4 up 0.7  
DM 2.3957 up 110 pts  
Gold \$375.50 down \$3.25

#### MONEY MARKETS

Period rates were slightly firmer. The Bank gave £473m help on a shortage revised downwards from £500m to £400m. Its dealing rates were unchanged.

Domestic rates:  
Base rates: 14%  
3-month interbank 14 1/4%  
Euro-currency rates:  
3-month dollar: 16%-16 1/2%  
3-month DM: 10%-10 1/2%  
3-month FF: 15%-15 1/2%

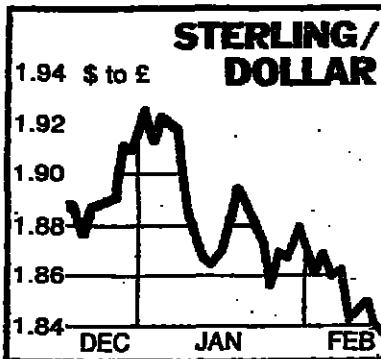
# Soaring dollar leads to fears of even higher US loan rates

By Frances Williams

World financial markets faced renewed uncertainty yesterday as the dollar soared to its highest levels for several months against European currencies and the Japanese yen. Another set of disappointing United States money supply figures could trigger fresh surges in US dollar interest rates.

Though dealers detected little central bank intervention in Europe to halt the dollar's advance, the strength of the dollar and the fear of rising American interest rates is causing concern to Western governments. EEC finance ministers yesterday agreed to put renewed pressure on the Reagan administration to act to bring interest rates down.

The dollar began to rise as soon as the world's financial markets opened for business in the Far East overnight on Sunday, as traders



reacted to Friday's worse-than-expected United States money supply figures. By the time the European markets opened the dollar had broken through the 2.40-deutschmark

barrier to reach nearly DM2.40, up nearly 2 pfennigs from Friday's close and its highest level for five months.

But traders in Europe reacted cautiously to the American news, preferring to await signals from the United States when the market there reopens today after the long weekend holiday.

The dollar drifted down in quiet nervous trading to finish near the day's lows at DM2.3957, up 1.10 pfennigs from Friday.

The dollar's trade-weighted index improved 0.7 to 113.4, reflecting gains on all leading currencies.

The pound, though easing slightly against the dollar, remained strong against other currencies, buoyed by relatively high British interest rates. Yesterday's disappointing industrial production figures had been largely discounted by the market.

The outlook for American interest rates remains cloudy. Many observers believe that, under duress from the administration, the Federal Reserve Board will do its utmost to resist significant fresh rises in interest rates. Rates are expected to remain steady or move up only slightly over the next few weeks.

The remarks by Mr Volcker, chairman of the Fed, last week that it could contemplate money supply growth above target in the short term is being interpreted to mean that credit policy will not be tightened sharply in response to poor money supply figures, at least for the time being. On the other hand, no one expects rates to come down significantly in the foreseeable future, and this is what the Reagan administration and the governments of Europe desperately want.

## Dealings halted in Euroflame

By Gareth David

Stock market dealings in Euroflame, the log-burning stove company were halted yesterday pending clarification of the company's position.

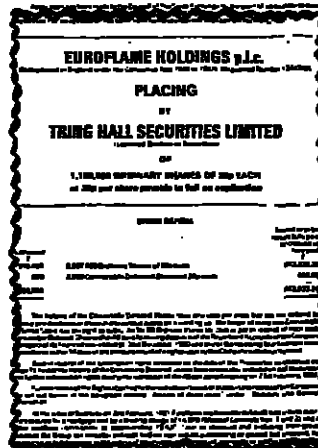
The group was meeting its financial advisers, Tring Hall Securities, yesterday to consider an independent report by accountants Stoy Hayward into the company's problems. A statement will be made tomorrow.

On December 31 the group reported half-year losses of £13,000 and the directors made an unexpected forecast of substantial losses for the full year, with both dividends passed.

The accounts were then called in to produce a report on the business and the reason behind the missed profits forecasts.

Euroflame had had a chequered history since it was brought to the Unlisted Securities Market last year. The shares were first sold at 30p and reached a peak of 54p before being suspended yesterday at 3p.

Even the group's launch was not trouble-free, with the Stock Exchange ordering that the prospectus be reprinted when Mr John Viall,



the chairman, made an off-the-cuff profit forecast.

His forecast of profits for the year of £335,000 was accompanied in the final offer document by forecasts of a half-year dividend of 1.428p gross and a total for the year of 3.0p, neither of which will be met.

The group's business is highly seasonal and sales this winter have been slow. There have also been problems with a log-burning cooker made by the Belgian Efel group.

## ACC loses buyer for its Classic cinemas

By Philip Robinson

The potential buyer of Associated Communications Corporation's Classic Cinema chain announced last night it had pulled out. The privately-owned Star Group of companies, which owns 24 screens in the west-end of London, said it had withdrawn because of the time which has elapsed since it had agreed terms and the continuing uncertainty over ACC's future and its policies.

Star was believed to have offered around £7m for the cinema chain which is thought by some observers to be too cheap. Meanwhile, Mr Gerald Ronson said yesterday he intended to raise his bid price for ACC following the weekend announcement by Australian Mr Robert Holmes a Court giving shareholders a bid option which matches Mr Ronson's initial 85p share offer.

Mr Ronson's intention to pay a higher but unspecified amount for the asset-rich entertainment-to-property empire came as his Heron Group yesterday asked the Court to stop ACC directors transferring their shares to Mr Holmes a Court and giving him control. It wants an injunction preventing the transfers which was turned

down at an earlier hearing by Mr Justice Vinelott. The appeal is likely to take three days.

Meanwhile, a separate High Court action by the Post Office pension fund to prevent a record £560,000 golden handshake to dismissed ACC managing director Mr Jack Gill was adjourned for two weeks allowing ACC more time to file evidence. The resumed hearing is likely to set a date for the full trial in the petition which is supported by a number of City institutions and two subsidiary companies.

Mr Holmes a Court's new offer matches the £46.6m currently being put forward by Mr Ronson but is conditional on him getting 90 per cent acceptance. The offer document for Mr Holmes a Court's original £36m bid was due out yesterday. It is now expected to go out today. It is believed to contain details of Lord Grade's new contract with Mr Holmes a Court, giving him a salary equal to £203,630 until March, 1984, and approval to occupy Knightsbridge flat until March, 1984, when the contract can be terminated by six months' notice on either side.

## Offshore waters to be opened for exploration

## China poised to join oil giants

By Jonathan Davis  
Energy Correspondent

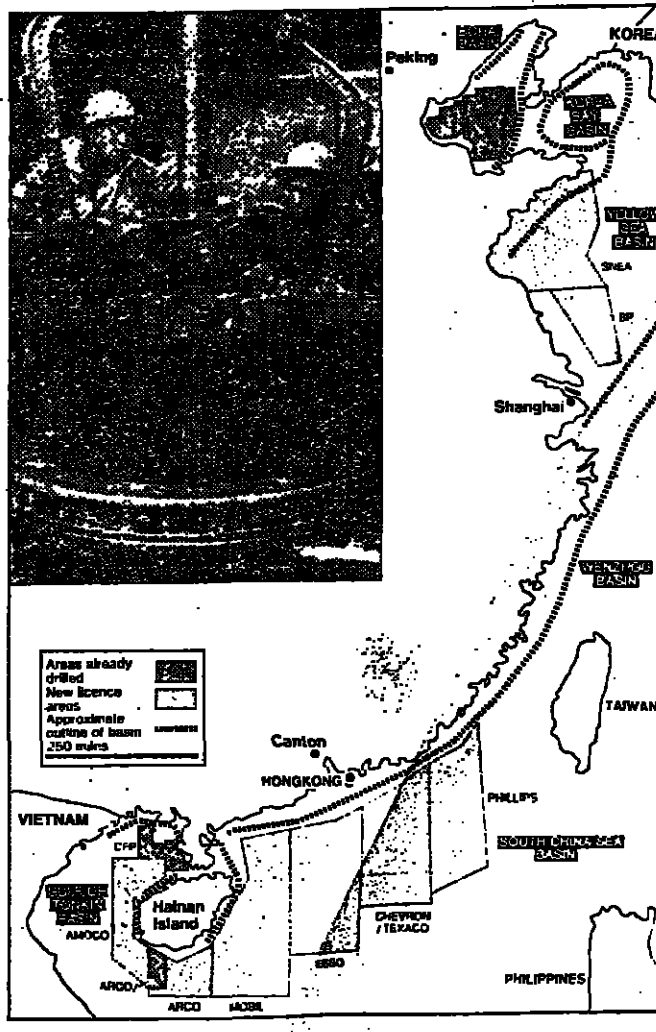
The long-awaited opening of China's offshore waters for oil exploration moved a step nearer yesterday with the announcement that it is setting up a new national offshore oil company.

Foreign oil companies will be invited to bid for acreage in the next few weeks.

The move will be greatly welcomed by the oil industry, which believes that offshore China is probably the best prospective unexplored oil province in the world. Only last week an economist from Chase Manhattan bank said that China could have oil reserves as large as Saudi Arabia.

The new China National Offshore Oil Company (CNOOC) will have overall responsibility for the exploration and production of China's offshore oil. A number of operating subsidiaries will cover each of the areas that China is opening up to exploration in the southern Yellow Sea and in the South China Sea.

The president of the new corporation was named as Mr Qin Wencai, who was reported to have said that China would cooperate with foreign enterprises while safeguarding its sovereignty. He said that the crucial



details of contract terms and oil companies tax obligations would be available soon. China has made it clear that foreign companies will be expected to pay for all the costs of exploration. It has not yet said how the revenues from any find will be shared, but observers believe the deal is likely to be similar to that signed between China and the Japan National Oil Company in 1980. That deal gave China the right to 42.5 per cent of oil recovered and 42.5 per cent to the Japanese state firm, with the remaining 15 per cent being sold to cover operating costs.

## BA SELLING JET TO RAISE CASH

Loss-making British Airways is on the verge of completing the sale of its only Boeing 747 freighter to Cathay Pacific Airways in Hongkong. According to reports yesterday, Cathay confirmed that negotiations for the purchase were serious and another company source said an announcement would be made shortly. BA spokesman in Hongkong was quoted as saying that the sale was spurred by a combination of the weakness in the (British) freight market and the need for cash.

BA has also put two Boeing 707 freighters on the market and is looking for buyers for three 747 passenger aircraft, one 707, two Tristars and one VC10.

## Piatzky fears return to Wilson era

## State spending 'nears record'

By Melvyn Westlake

Government spending is now taking a larger slice of the economy than at any time since the record levels reached seven years ago under Sir Harold Wilson's administration, according to Sir Leo Piatzky, a former top Treasury official. The proportion of the national income passing through the hands of the Government in the mid-1970s, was the highest in peacetime, provoking considerable concern about the economic and political balance within Britain.

Sir Leo Piatzky, who is credited with getting public expenditure back under control in the 1975-76 period, estimated yesterday that such spending is equivalent in the current financial year to between 45 and 46 per cent of the nation's output of goods and services. The peacetime peak was 46 1/2 per cent. This compares with 41 1/2 per cent in the last full year before the present Government came to office with a pledge to reduce the proportion of the economy allocated by the



Mr Leo Piatzky: doubts on inflation

White Paper' is published with the Budget in three weeks.

To plan this way, the Treasury has to predict the level of inflation for many years ahead. Inflation is now projected to be 7 per cent in the coming financial year, 6 per cent in 1983-84 and 5 per cent in 1984-85. Sir Leo, a former head of the Department of Trade and Second Permanent Secretary at the Treasury, said that was a little luck and a good deal of flexibility, it may just be possible to get through 1982-83 without too much violence to the total cash provision. But it would be remarkable if the inflation assumptions for the following two years could survive.

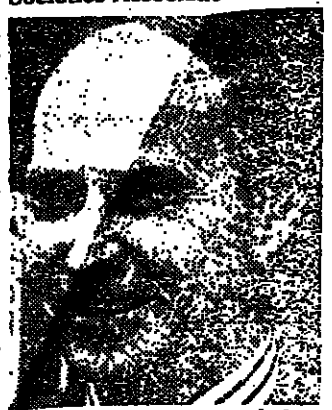
Part of the reason that state spending has risen in relation to the whole economy is that output has been shrinking. In addition, unemployment has pushed up spending on social security and the Government has also had to spend more money on job creation and job support schemes, Sir Leo said.

## Insurance fight for building societies

By Derek Harris,  
Commercial Editor

Some of the largest of Britain's 200 building societies are squaring up to a confrontation with Mr Gordon Borrie, Director General of Fair Trading, on the amount of choice offered on insurance to homeowners with building society mortgages. It could lead to an investigation by the Monopolies and Mergers Commission.

A number of key societies yesterday indicated that they regarded as a matter of principle their acting as agents for insurance companies in such deals, said Mr Richard Weir, secretary general of the Building Societies Association.



Richard Weir: regarded as matter of principle

"They obviously believe they should cede the agency only in the most exceptional circumstances because the block insurance system, which benefits the consumer, would otherwise be at risk", Mr Weir said.

As agents for insurance companies, building societies get the commission on arranging the insurance deals. But last October, rather than face justifying the rule before the Restrictive Practices Court, the BSA agreed not to recommend any more to its members that they should act as agents on insurance for buildings.

At that time Mr Borrie said it was now open for individual societies to offer freedom of choice in property insurance. That would allow borrowers to shop around, probably using insurance brokers, for their own insurance cover.

The war between building societies and the banks to attract mortgage hunters took a new turn yesterday as Bristol & West, one of the top dozen societies, broke new ground with 100 per cent loans for first-time buyers. These loans will have a ceiling of £25,000.

Would-be borrowers will have to demonstrate their financial credibility: they should have saved between 5 per cent and 10 per cent of the house purchase price, Mr Harry Chadwick, the society's general manager said.

This announcement appears as a matter of record only.

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**Hambro Australia Limited**

January, 1982



## Is the...

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## BUSINESS NEWS/FOCUS AND COMMENT

## PEOPLE

## Roy Capel wants you!

Roy Capel, 40, wants you; or rather, he does if you handle the millions of a rich institution in the worlds of art or antiquity. But your question, and his gamble is who wants him.

Roy is Britain's last printer in Colotype and one of half a dozen in the world. Never heard of it? Until yesterday neither had I. It is a photo-mechanical process which claims to give closer to the original print, painting or manuscript than any other. But only those of exquisite taste need bother. A lithograph costing, say, £6 could easily be £50 in colotype. It is like buying hand made shoes at £600 a pair.

Roy's gamble is in fact his last throw. He wants the world to beat a path to his Cotswold-stone doors at Cotswold Colotype at Nailsworth. He has been in the business for five months (he already has a big lithograph business) but already Colotype is gobbling the profits (£160,000 a year from less than £1m turnover) of the group as a whole.

Profit margins are however, 100 per cent. If around the world, a few more people like Harvard or the Ashmolean would buy, Capel's fortune is made, and dusty plans to join the United Securities Market would be swept.

Do not understate Mr Capel. But did Brooke Bond Liebig, the former Colotype owner know better? It was shrewd enough to get its presses from the Germans at the end of the war as reparations.

Roy Capel - a type looking for business

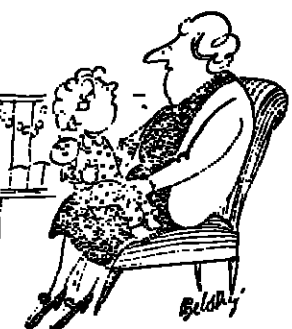
## Chocs for the sickly rich

If you earn less than about £25,000 a year and love chocolates, do not read on. Because after more than 80 years of selling America's most expensive sweets, Karl Bissinger French Confections of St Louis is coming to England.

The company has chocolate visiting cards and greetings cards; one item consists of yellow chocolate tennis balls in a tin and another, complete set of chocolate dominoes.

The president, Bud Kolbrener, dispatches most of his chocolates through mail order catalogues because it is cheaper to sell that way.

The American chocolate eater consumes 27 pounds per capita annually compared with the European's nine.



"But Gran, everyone knows that babies came out of test tubes."

Is the day dawning of speculative prison development? Redevelopment of decaying Victorian property is no longer the monopoly of the property developer, according to Home Secretary, Mr William (short, sharp, shock) Whitelaw. Repairs to Victorian prisons would cost £150m during the 1980s with a further £350m likely to be spent on major projects such as boilers and sewers, he said yesterday.

And to whom was he talking? Why, the annual gathering of the Incorporated Society of Valuers and Auctioneers, but there is no truth in rumours of a spate of planning applications from developers wanting to build top security, low rise office buildings out of town.

Peter Wainwright

## NEW APPOINTMENTS

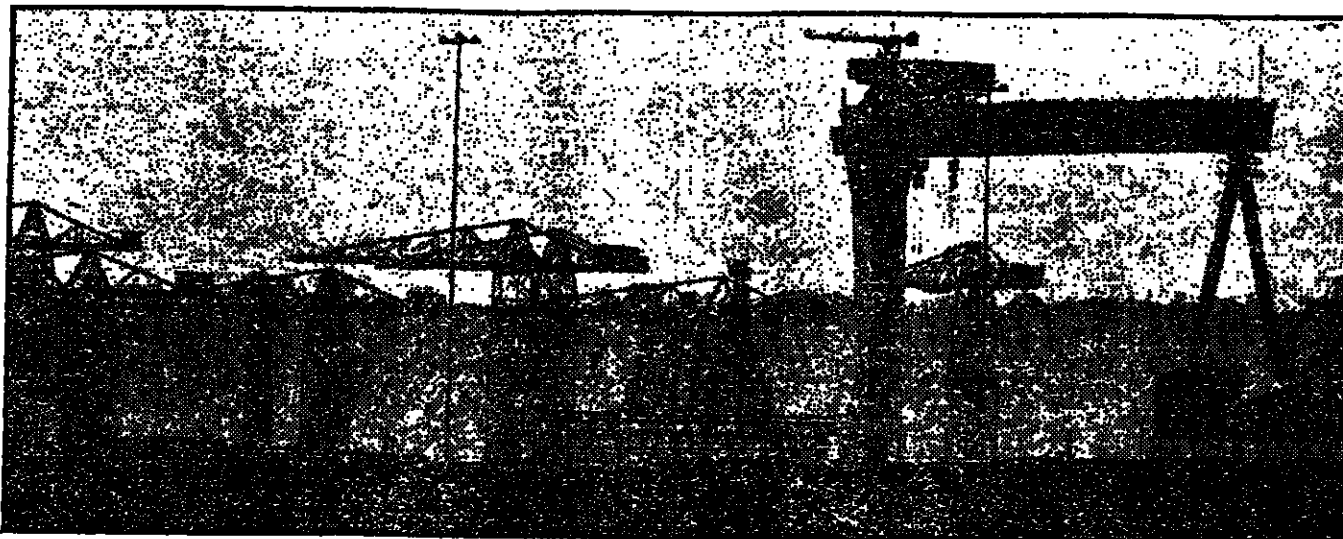
Sir Robert Clark has been appointed a director of Shell Transport and Trading with effect from March 1, 1982.

Mr P. Fairclough is to be appointed managing director of the Burmah-Castrol Company on April 1, 1982.

Mr Richard Seymour has been appointed to the Furness Withy board. Mr Seymour is chairman and managing director of Furness-Houlder (Insurance).

The fate of Harland and Wolff and De Lorean are linked. Bob Rodwell reports

## Northern Ireland: the jobs dilemma facing Mr Prior



Harland and Wolff's yard: casting a long shadow over East Belfast

The likely loss of the remaining 1500 jobs at the De Lorean spot car plant in Belfast together with the loss of as many as 3,000 in supplier companies throughout Britain has overshadowed the longer-term threat to even greater numbers in the vast Harland and Wolff shipyard in East Belfast.

The problems of the shipyard, however, can not have been far from the mind of Northern Ireland Secretary Mr James Prior during a far-from-restful weekend on his Suffolk farm.

He retired to his constituency to digest the gloomy conclusions of the Coopers & Lybrand viability study on De Lorean and the recommendations of his special adviser, that eminence grise of insolvency, Sir Kenneth Cork.

And if, as is generally believed, Sir Kenneth has advised Mr Prior that no more government aid for De Lorean can be justified, Mr Prior substantially limits the scope of manoeuvre he has to save employment at Harland and Wolff - even if he has the cash.

The shipyard's problems surfaced yesterday when the management moved fast to deny a news agency report that it was issuing redundancy notices to between 700 and 1,000 of its 7,000 Belfast employees. This was no more than a press resurrection of a warning by the Chairman, Dr Vivian Wadsworth, made last year, that if it did not receive new orders soon, the redundancy of some 700-1,000 workers would be inevitable by the spring, a spokesman said.

No notices have been issued but Dr Wadsworth's warning remains valid. New orders are as desperately needed as ever. Harland and Wolff, established but outside British Ship Builders with its ownership vested in the Northern Ireland Department of Commerce rather than with the Department of Industry in Whitehall - has not shared in the very modest recovery in the fortunes in the mainland industry.

The Belfast order book is extremely thin with only four ships, to be completed by next year and one of these, a complex Liquefied Petroleum Gas Carrier, is almost ready for sea trials. In the engine works which employs 900, short time is already in force, much to the irritation of the unions who contend that an overloaded British Ship Builders is subcontracting mar-

ine engine work to Japan, rather than to the equally competent H & W at home.

As the immediate "life saver", the shipyard is putting an order for a 119,000 tonne ore carrier for British Steel. Pressure is being brought on the Government to ensure that this ship is both ordered quickly and ordered from Belfast in the hope of averting the most imminent redundancies.

Both H & W and the unions have a good case to build this vessel, three ore carriers of the same size having been built in Belfast in recent years specifically for British Steel and all have proved satisfactory. But it will require a subsidy from the Government's intervention fund to enable H & W to compete with international prices and, probably, considerable pressure on British Ship Builders to order the ship ahead of its own good time.

In the longer term H & W have a number of tenders out and are chasing several contracts in the market where would-be builders still greatly outnumber eager purchasers. One particular sales thrust is towards the predicted increase in the international coal trade for power generation, with a series of designs for "colliers" which can themselves be coal-fired in line with the forecast move away from oil.

The hottest prospect for a batch order for such ships is to the Israeli Ministry of Shipping with whom negotiations have been in

progress for many months without much sign of hope.

There are few similarities between a shipyard building three or four vessels a year and a factory which was until last month building 80 cars a day but, nonetheless, H & W and De Lorean's destinies are inter-linked. The shipyard has been the industrial foundation of Protestant Belfast for well over 100 years; the new car plant was intended to bring a prosperous future to the predominantly Catholic West Belfast communities

**'If the Government bails out De Lorean the shipyard workers will feel no less entitled to further help'**

which have never had an industrial base of any kind.

If the Government were to allow De Lorean to fail before the company has ever been allowed to thrive, and then shell out yet more money to keep H & W marginally afloat, it would certainly be seen as the act of a Protestant dominated Government and clear discrimination against the Catholic minority.

It would almost certainly damage Mr Prior's chances of moving towards a mutually acceptable political settlement later this year. If,

however, he bails out De Lorean the shipyard workers and their supporters will feel no less entitled to further government help.

Since the mid 1960s the shipyard has consumed well over £200 million of public money. The management is understood to have warned the Government that it is unable to contain itself within this year's spending limit of £56.9 million - £46 million from the government and £10.9 million in outside borrowing.

Without a major and unlikely spate of orders, there is no of keeping to its recently submitted corporate plan. Though ostensibly confidential, this is known to have forecast a decrease to below £20 million in government assistance by the year 1984/5.

Beside the scale of the shipyard and car plant problems, Mr Prior's other industrial headaches are relatively minor, but with Ulster unemployment now nudging 125,000 and rapidly approaching an overall rate of 25 per cent, they are no less pressing.

The State owned aircraft and missile makers Short Brothers are being forced to shed a further 650 white collar and shop floor personnel after a recent shakeout of several hundred through early retirements and voluntary redundancy. But its underlying position is considered healthy once the world-wide slump in commercial aircraft sales ends.

Another government-funded aeronautical venture, the Learfan project to produce a radical all-carbon-fibre twin-prop business aircraft under development in the United States continues to progress in employment terms. Some 600 are employed in Northern Ireland with a growth to 1,000 planned for the end of the year and US FAA certification of the aircraft targeted for 1983.

There are many similarities in this venture with De Lorean, and perhaps wisely Mr Prior has been keeping its head low on recent weeks. Unlike Mr John De Lorean however, the parent Learfan company in Nevada has, successfully, raised private investment capital with a recent \$30 million share flotation to set against the £27 million in grants and loan capital which the government has contributed.

In longer established times times are hard for textile machinery engineers James Mackie which has matched H & W in both age and influence as an industrial pillar of Protestant Belfast for more than 140 years. Having shed 800 workers in the last quarter of last year Mackie is now dismissing a further 400 to reduce to a mere 1300 a workforce which numbered about 4,000 only five years ago.

At the beginning of next month will be decision day for one of only three remaining, synthetic fibre plants in Northern Ireland, the much-reduced British Eka-lon facility at Antrim, where only 800 now work after the decimation of a once huge industry which has seen Courtaulds, ICI and Du Pont disappear.

Antrim has been operating under a review of performance and future market scheduled for the end this month. There are grounds for optimism however, that the Dutch and German owners will now agree to the plant remaining open on its now much reduced scale and that the remaining jobs will be secured.



Mr John Winnington-Ingram, managing director of the soon-to-be-launched Mail on Sunday. One in five people do not take any Sunday paper at all.

as high as those of the creative people in advertising whose status had never been in doubt.

The imminent media explosion will further increase the importance of media planners and buyers within the advertising process.

The launch of the Mail on Sunday will fill one of the last major market gaps in British publishing, by providing head-on competition for the Sunday Express, which monopolizes the middle ground of Sunday newspapers.

One in five people do not take any Sunday paper at all, the Mail on Sunday's managing director, John Winnington-Ingram, told his delegates in Rome. His newspaper, which will be a 64-page tabloid, is aiming for a circulation of 1½ million within two years.

That may benefit Associated Newspapers, which needs to spread some of the overheads borne currently by the Daily Mail. It may well be of benefit to the readers of the new publication. Whether it is ultimately of benefit to advertisers, is questionable.

## Business Editor

## Curiouser and curiouser

The Associated Communications Corporation saga grows curiouser and curiouser. Alice herself would be bemused by the following situation: Mr Robert Holmes a Court has two concurrent offers on the table. Mr Gerald Ronson's Heron Corporation is bidding without a full understanding of ACC's financial position; the institutions are torn between principle and the desire for an increasing auction price; and Mr Jack Gill still does not know whether he will pick up his £560,000 golden handshake.

Mr Holmes a Court's first bid was made merely to conform to Take-Over Panel rules. With his second offer, of 85p for each of the non-voting shares and 340p for the voters, Mr Holmes a Court could be seen as reacting not only to the first Heron offer, but also to criticism that he was prepared to walk away from the battle.



Mr Holmes a Court, chairman of the Bell Group

But that may be putting too charitable a face on the move. In effect, Mr Ronson has been put under pressure to raise the stakes further - and Mr Holmes a Court can still walk away, only on yet more favourable terms.

If it is deemed that Mr Ronson has to keep his bid ahead of Mr Holmes a Court to keep his court case alive, then one could say he is simply hoist with his own petard. On the other hand, it is hardly satisfactory that he should find himself under such pressure given that it is not totally inconceivable that shareholders might, at the end of the day, find themselves left with only Mr Holmes a Court's original bid on the table.

The ACC battle has dragged on too long. An important public company is being treated to entrepreneurial manoeuvring rather than to rational decision-taking.

## Science parks Funds threat

The University of Warwick Science Park, announced yesterday, represents a £2m investment by the university and three local authorities: West Midlands and Warwickshire county councils and Coventry city council.

It is a welcome economic

initiative, bringing high technology firms to an area hit hard by the decline of traditional industries, and encouraging the commercial exploitation of academic research.

An important ingredient in the latest set of proposals is financial support by local authorities. But that is unfortunately threatened by legislation proposed by the Government last week, which would place limits on the aid councils can give local industry.

Although the precise nature of the legislation is not clear, the written answer given in the House of Commons by Mr Tom King, the Local Government Minister, indicates that councils will not be allowed to devote more than the product of a halfpenny rate on financial aid to small companies.

According to Mr Geoffrey Edge, chairman of the West Midlands County Council Development Committee, his authority would not have been able to commit its £545,000 to the Warwick science park if the proposed legislation were already on the statute book. The Government should make clear that support for science parks is not included in the halfpenny limit.

## Markets

## M1 blues

Yet another disappointing set of American money supply figures late on Friday produced the inevitable result when markets opened yesterday morning. Up went Eurodollar interest rates, the three-month rate in London pushing almost a ½ per cent higher to 16½ per cent; and up went the dollar through the DM2.40 level.

Sterling duly fell against the American currency, dipping below the \$1.83 level at one stage. But it again performed well against other currencies and domestic interest rates were only a touch firmer. The three-month Eurosterling rate is now a full two points below the Eurodollar rate.

While that holds out at least one crumb of comfort, the authorities must find all the other main policy gauges highly confusing at the moment. The January money supply figures were far from good, and the continuing high level of bank lending to the private sector especially puzzling. Yet yesterday's industrial production figures for December showed their second consecutive monthly fall, with manufacturing output dropping back to its lowest level for 14 years.

Not that the December fall was unexpected. But taken together with the lack of confidence shown in the recent CBI industrial survey, it is clear that the recovery in most sectors is still slow and tentative. Whether the Chancellor proposes to deal with that through the fiscal or the interest rate regulator on March 9 remains to be seen.

## An embarrassment of riches

## MARKETING AND ADVERTISING: THE MEDIA

By Torin Douglas

Next month IPC Magazines is to launch a new monthly for women called Options. On May 2, Associated Newspapers is launching the first new national Sunday newspaper for more than 20 years, the Mail on Sunday. In November, a second commercial television channel, Channel Four, goes on the air.

New commercial radio stations are being launched at the rate of about nine a year. An announcement about the fifth and sixth television channels, incorporating satellite broadcasting, is expected from the Home Secretary this week. ITV's breakfast television service will begin in May next year.

For the advertising and marketing companies whose 1980s is going to be an exciting, if not frightening decade

money will finance most of these new media developments, the 1980s is going to be an exciting, if not frightening decade. After many years of comparative stability in the media world, with a single commercial television channel and a largely unchanging number of national newspapers (despite the constant threats to various titles, including that of The Times and The Sunday Times) Britain is on the brink of a media explosion.

The process has already begun. Last year saw the launch of two new Sunday colour magazines, the Sunday Express Magazine and the News of the World's Sunday, which increased the Sunday colour market by some 15 million readers.

The relaunch of the TV Times Magazine at the same time, with an increase in pages, meant that where advertisers had once complained that there were insufficient readers and insufficient availability of colour advertising space for them to produce effective campaigns, they now have more than enough of both. At the same time, total Fleet Street circulations rose for the first time in 20 years, with the newest national daily, the Daily Star, growing fastest.

The colour magazine boom, on its own, would have been very welcome to advertisers. As indeed, on its own, would be Channel Four. The growth

in the number of radio stations, television channels, and various publications is welcomed to advertisers, who are constantly looking for new opportunities to reach the public more effectively and economically.

The problem for them is that everything is changing at once. There is no time to assess the impact of a new development before the next has arrived and since millions of pounds of advertising money is at stake, the consequences for Britain's marketing companies could be serious.

"It is going to be a decade of dramatic change," delegates were told last week at a conference in Rome called Media in Ferment. "All media are growing," said Simon Lloyd, the managing director of advertising agency Foote Cone and Belding, "and we are going to need a real growth of 10 per cent in advertising expenditure by 1985 if the new media are to survive without taking money from the existing ones."

Whether that 10 per cent will be forthcoming is questionable. On the surface, this should benefit advertisers considerably, because with increased competition among salesmen, prices should drop. Unfortunately, the increase in the number of media available will also lead to the greatest fragmentation of the audience, so that advertisers will have to spread their money widely if they are to reach the same number of people.

The most striking example is that of television, where for 25 years advertisers have had a single mass-audience channel through which to sell goods and services. In recent years, the increasing competitiveness of BBC 2 has led to its taking viewers away from the two major channels, thus reducing the number of viewers available to advertisers. The arrival of Channel Four will fragment the television audience even further, even though it may increase the total number of viewers to commercial television. Add to this the possibility of the fifth and sixth satellite channels, the cable services

available in some parts of the country, the increase in sales of video cassette recorders - which divert potential viewers away from the regular channels - and the use of the television set for video games and teletext information and we can see why the advertisers' strategy will have to change.

The advantage of a fragmented audience is that advertisers will be able to target campaigns more directly at sections of the population, pinpointing groups who are known to be users of their products or services. This, of course, requires greater planning by the advertising agency and reliable market research on which to make the media buying decisions.

"The 1980s will be the era of the media buyer," Brian Downing, the managing director of IPC Women's Magazines Group, told the conference.

"Campaigns will increasingly be directed at more specific groups and not at the great lumps of the mass market," said John Ferriss, media director of Saatchi and Saatchi Garland-Compton. "There must be more detailed planning and fine tuning."

The changes come against the background of a growing recognition within marketing companies and their agencies of the vital importance of the media planning and buying function. Only 10 years ago, the media department of an agency was often regarded virtually as an order-processing department and in many

There is no time to assess the impact of a new development before the next has arrived

agencies the media director had no seat on the board. The growing complexity of advertising rate cards, particularly those from television companies, and the increase in the cost of advertising campaigns meant that large advertisers found they could save millions of pounds by improved negotiation with the media owners.

The rising status of the media department was accelerated by the founding of a number of independent media companies, which planned and bought campaigns directly for advertisers. Soon television time-buyers found they were able to command salaries almost

## INVESTORS CAPITAL TRUST PLC

Annual Report for the year to 30th November 1981

## Capital Growth

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**SOUTHERN LEAGUE:** Kidderminster  
Alvechurch 1.  
**NORTHERN PREMIER LEAGUE:**  
W. Williams Bramhall 2. G. G. 0.  
**SURREY SENIOR CUP:** First round:  
W. Williams Bramhall 2. Addlestone  
1. Weybridge 1.



Racing

Broadsword's fan club gains an important member

By Michael Seely

The thrills of Cheltenham seemed only just around the corner at Nottingham yesterday as Broadsword had totally outclassed his rivals in the City Trial Hurdle. Giving weight away all round, Broadsword galloped away on the run-in to beat Secret Ballot by three lengths, with No Bombs a length away third.

It had been a faultless performance by Lord Northampton's five-year-old, and no one was more impressed than Peter Easterby, who has already trained five winners of the Cheltenham Hurdle. "That's the way we've got to beat it," he said. "We've got to have a champion horse, a champion trainer, a champion jockey, a champion owner, a champion bookmaker, a champion public, a champion time, a champion place, a champion prize, a champion everything."

Lord Northampton's five-year-old, and no one was more impressed than Peter Easterby, who has already trained five winners of the Cheltenham Hurdle. "That's the way we've got to beat it," he said. "We've got to have a champion horse, a champion trainer, a champion jockey, a champion owner, a champion bookmaker, a champion public, a champion time, a champion place, a champion prize, a champion everything."



Broadsword (left) on his way to an impressive victory over Secret Ballot

One of last season's Gold Cup winners, Broadsword, was also in the money at Nottingham when he won the City Trial Hurdle. The difference is that he can now claim the title of champion horse. Broadsword, trained by Peter Easterby, was ridden by jockey John Wootton. He was a favourite at 3-1 and won by three lengths. Secret Ballot was second, and No Bombs was third.

Broadsword's victory was a significant one for his owner, Lord Northampton. It was the first time he has won the City Trial Hurdle since 1978. Broadsword's performance was a testament to his class and the skill of his trainer and jockey.

Towcester programme

1.0 HULCOTE CHASE (Div II) (novices): £1,615: 2m		
1	0011	SPRINGBURY (C) Mrs M Babbage 9-11-10
2	0012	SILVERSTONE 7-11-10
3	0013	ST. JOHN'S 7-11-10
4	0014	ST. JOHN'S 7-11-10
5	0015	ST. JOHN'S 7-11-10
6	0016	ST. JOHN'S 7-11-10
7	0017	ST. JOHN'S 7-11-10
8	0018	ST. JOHN'S 7-11-10
9	0019	ST. JOHN'S 7-11-10
10	0020	ST. JOHN'S 7-11-10
11	0021	ST. JOHN'S 7-11-10
12	0022	ST. JOHN'S 7-11-10
13	0023	ST. JOHN'S 7-11-10
14	0024	ST. JOHN'S 7-11-10
15	0025	ST. JOHN'S 7-11-10
16	0026	ST. JOHN'S 7-11-10
17	0027	ST. JOHN'S 7-11-10
18	0028	ST. JOHN'S 7-11-10
19	0029	ST. JOHN'S 7-11-10
20	0030	ST. JOHN'S 7-11-10
21	0031	ST. JOHN'S 7-11-10
22	0032	ST. JOHN'S 7-11-10
23	0033	ST. JOHN'S 7-11-10
24	0034	ST. JOHN'S 7-11-10
25	0035	ST. JOHN'S 7-11-10
26	0036	ST. JOHN'S 7-11-10
27	0037	ST. JOHN'S 7-11-10
28	0038	ST. JOHN'S 7-11-10
29	0039	ST. JOHN'S 7-11-10
30	0040	ST. JOHN'S 7-11-10
31	0041	ST. JOHN'S 7-11-10
32	0042	ST. JOHN'S 7-11-10
33	0043	ST. JOHN'S 7-11-10
34	0044	ST. JOHN'S 7-11-10
35	0045	ST. JOHN'S 7-11-10
36	0046	ST. JOHN'S 7-11-10
37	0047	ST. JOHN'S 7-11-10
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39	0049	ST. JOHN'S 7-11-10
40	0050	ST. JOHN'S 7-11-10
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45	0055	ST. JOHN'S 7-11-10
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49	0059	ST. JOHN'S 7-11-10
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189	0199	ST. JOHN'S 7-11-10
190	0200	ST. JOHN'S 7-11-10
191	0201	ST. JOHN'S 7-11-10
192	0202	ST. JOHN'S 7-11-10
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224	0234	ST. JOHN'S 7-11-10
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229	0239	ST. JOHN'S 7-11-10
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234	0244	ST. JOHN'S 7-11-10
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244	0254	ST. JOHN'S 7-11-10
245	0255	ST. JOHN'S 7-11-10
246	0256	ST. JOHN'S 7-11-10
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248	0258	ST. JOHN'S 7-11-10
249	0259	ST. JOHN'S 7-11-10
250	0260	ST. JOHN'S 7-11-10
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254	0264	ST. JOHN'S 7-11-10
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